



Exploding The Phone

db952

www.explodingthephone.com

Bibliographic Cover Sheet

Title **FBI File 165-HQ-1990: Kenneth Hanna; ITWI, FBW**

Date 1965-12-27

Keywords Nathan Modell; Nat Modell; Ken Hanna; Kenneth Hanna; blue box; FBI

Notes See also db881, which is 165-HQ-1990 for Nat Modell, and db921, which is 162-MM-341 for Kenneth Hanna. Alas, the main file on the Hanna blue box case at the Miami field office, 165-MM-592, was destroyed according to Peggy Jackson at the FBI.

Source FBI via FOIA

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FBI

Date: 12/27/65

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka
Ken Hanna,
"Jap"
ITWI; FBW

OO: Miami

Re Miami airtel to Bureau dated 12/17/65
captioned, "KENNETH HANNA, aka, IGA," and Philadelphia
airtel to Bureau dated 12/22/65, captioned, [REDACTED]
[REDACTED] AR; IGA".

By referenced Philadelphia airtel the Phila-
delphia Office forwarded to Miami evidence obtained by
the FBI in Philadelphia from [REDACTED]

This evidence consisted of [REDACTED]

[REDACTED] in conjunction
with their investigation of a device referred to by them

3 - Bureau
2 - Albany
2 - Atlanta
2 - Baltimore
2 - Dallas
2 - Detroit
2 - Jackson
2 - New Orleans
3 - Miami (1 - 162-341)
(1 - 92-353) [REDACTED]

2 - New York
4 - Newark
2 - Oklahoma City
1 - Philadelphia (Info) (165-698)

165-1990-1
MCT-12
18 DEC 29 1965

WFH/MJR:pch
(29)

b6
b7C

b3 FRCP Rule 6(e)

53 JAN 12 1966

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

MM 165-592

as "blue box" used on Miami telephone numbers 945-9655 and 945-9723, subscribed to and operated by KENNETH HANNA, at Apartment 2, 2290 NE 170th Street, Miami, Fla.

For the info of all offices, the "blue box" is attached to a telephone, permitting said telephone to be used in making long distance telephone calls to any location throughout the U.S. without the toll call being billed. This device transmits cycle tones into the toll network and bypasses billing machines at the point of origin.

KENNETH HANNA is a known gambler and has been subject of Miami case captioned, "KENNETH HANNA, aka, IGA," Bufile 162-1465, Miami file 162-341. In view of the evidence now available, Miami is opening a new file, 165-592, and all investigation being conducted relative to HANNA's gambling activities with use of the "blue box", is being placed in this file. HANNA has been associating in the past, with [REDACTED]

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[REDACTED] in which the Miami office is the office of origin, however, in order to insure a complete and thorough investigation of HANNA's gambling activities, the Miami Division is conducting a separate investigation concerning HANNA with separate reporting and will coordinate subsequent arrests, prosecution, etc., with the [REDACTED] case.

For the information of the Philadelphia Office, Miami in reviewing the evidence forwarded with referenced Philadelphia airtel, has not yet found any relationship between the HANNA case and Philadelphia case captioned, "TAPES AND RECORDINGS REFLECTING INTERSTATE GAMBLING INFORMATION, ITWI, FBW, CONSPIRACY, OO: Miami," Bufile 165-1895. The aforementioned evidence reflects the following telephone area codes and telephone numbers called during the period November 26 - December 16, 1965, from Miami telephone numbers 945-9655 and 945-9723, both subscribed to by HANNA. These numbers are set out hereafter according to field divisions:

MM 165-592

ALBANY

At Schenectady, New York:

[Redacted]

ATLANTA

At Conyers, Georgia:

[Redacted]

BALTIMORE

At Baltimore, Maryland:

[Redacted]

b6
b7C

DALLAS

At Fort Worth, Texas:

[Redacted]

DETROIT

At Detroit, Michigan:

[Redacted]

JACKSON

Biloxi, Mississippi:

[Redacted]

NEWARK

At Seaside Park, New Jersey:

[Redacted]

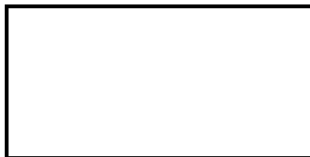
MM 165-592

At Union City, New Jersey:

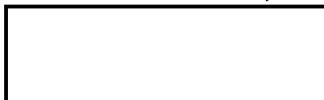


b6
b7C

At Jersey City, New Jersey:



At Cliffside Park, New Jersey:



At Franklin Park, New Jersey:

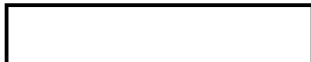


At Linden, New Jersey:



NEW ORLEANS

At New Orleans, Louisiana:



NEW YORK

At New York City, New York:

MM 165-592



b6
b7C

At Queens, New York:



OKLAHOMA CITY

At Tulsa, Oklahoma:



Each office receiving copies of this communication is requested to furnish Miami at the earliest possible date the following information concerning the telephone numbers shown above. No open investigation concerning the subscribers desired at this time. It is requested that the information be forwarded to Miami on 25 copies of Multilith inserts or FD-302s suitable for inclusion in a 165 report. Administrative data should be forwarded on the accompanying airtel. It is recognized that some of the information requested herein concerning the subscribers to the above telephone numbers may have been previously submitted to Miami in other cases, however, it is requested that it be forwarded as per above, in order that the preparation of report in instant case can be expedited by the Miami Division:

(1) Will obtain complete subscriber data including dates of connection, etc.

(2) Will identify toll calls charged against these numbers for November and December, 1965.

(3) Will obtain background information concerning the subscriber such as gambling arrests and convictions, purchase of Federal wagering stamp, prior interviews relative to gambling activities, etc.

Information concerning the utilization of the "blue box" by HANNA, should not be divulged outside the Bureau at this time.

MM 165-592

Miami is in the process of reviewing the magnetic tapes along with the other evidence in order that this material may be incorporated in report form.

TELETYPE UNIT

JAN 5 1966

ENCODED MESSAGE

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Mr. Wick
Tele. Room
Miss Holmes
Miss Gandy

\$

FBI NEW YORK

229 PM URGENT 1-5-66 JAM

TO DIRECTOR /4/ MIAMI AND NEWARK

MIAMI AND NEWARK VIA WASHINGTON - ENCODED

FROM NEW YORK 2P

KENNETH HERBERT HANNA AKA

ITWI; ITAR; FBW

OO-MIAMI

MIAMI FILE 165-592 AND NEW YORK 165-1344.

RE MIAMI TELCALL TO NEW YORK, JAN. FOURTH LAST, AND NEW YORK TELCALL TO NEWARK, JAN. FOURTH LAST.

ON JAN. FOURTH LAST

SALISBURY HOTEL, ONE TWO THREE WEST FIFTY SEVENTH ST., NYC,

ADVISED THAT NAT MODELL HAS BEEN REGISTERED IN ROOM FIVE ZERO SEVEN SINCE NOV. FOURTEENTH, SIXTYTHREE. MODELL

IS EXPECTED TO BE THERE INDEFINITELY. MODELL HAS MADE NUMEROUS PHONE CALLS TO MIAMI NUMBER

DURING NOV. AND DEC., SIXTYFIVE. ONE

CALL MADE TO

MIAMI, AND ONE CALL MADE TO

NEWARK, NJ.

ON JAN. FOURTH LAST,

INTERNAL REVENUE SERVICE, NYC, ADVISED HE

END PAGE ONE

RELAYED TO

b6
b7C

DEC-6 12 JAN 6 1966

b6
b7C

PAGE TWO

HAS NO RECORD OF A FEDERAL WAGERING STAMP FOR NAT MODELL.

NYO IS REVIEWING REFERENCES ON NAT MODELL FOR ANY
INFORMANT INFORMATION ON GAMBLING ACTIVITIES.

LOGICAL SOURCES ALSO BEING CONTACTED IN EFFORT TO
DEVELOP CURRENT RELIABLE INFORMANT INFORMATION AS TO ANY GAMBLING
ACTIVITY ON PART OF MODELL. P.

END

LRA

FBI WASH DC

cc - Mr. Rosen

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

10:11 PM EST DEFERRED 1-4-66 PJR

TO DIRECTOR, BALTIMORE, CLEVELAND, JACKSON, NEWARK, NEW
 ORLEANS, NEW YORK, PITTSBURGH

NEW YORK VIA WASHINGTON - ENCODED

FROM MIAMI 050200

[REDACTED] AKA, AR; IGA. b6
 b7C

KENNETH HANNA, AKA. ITWI.

Ken
 HANNA

DISCUSSIONS WITH DEPARTMENTAL ATTORNEY'S WALLACE JOHNSON
 AND BRIAN GETTINGS TODAY RESULTED IN FINAL DECISION TO
 CONDUCT SIMULTANEOUS RAIDS ON JANUARY 8 NEXT AT 11 A.M. EST
 INVOLVING SEARCH FOR GAMBLING RECORDS: IN MIAMI OF [REDACTED]

b6
 b7C

[REDACTED] AND MARTIN SKLARLOFF; IN BALTIMORE
 [REDACTED] IN CLEVELAND [REDACTED]; IN CLARKSDALE,
 MISSISSIPPI [REDACTED]; IN BATON ROUGE [REDACTED] IN NEW ORLEANS
 [REDACTED] IN HUNTINGTON, WEST VIRGINIA OF SCOREBOARD
 OPERATED BY [REDACTED]

NO ARRESTS ARE TO BE MADE IN THESE SEARCHES. GRAND JURY

MCT-7

NOT RECORDED
 200 JAN 7 1966

8 JAN 6 1966

150 JAN 13 1966

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably
 paraphrased in order to protect the Bureau's cryptographic systems.

229

ORIGINAL FILED IN 92-3625-291

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

PAGE TWO FROM MIAMI 050200

INDICTMENTS ANTICIPATED THEREAFTER.

IT IS OPINION OF DEPARTMENTAL ATTORNEY'S GETTINGS AND JOHNSON ARRESTS SHOULD NOT BE MADE AT ANY OF LOCATIONS TO BE SEARCHED UNLESS IT APPEARS ADVANTAGEOUS OR NECESSARY TO SUCCESS OF ENTIRE OPERATION.

HANNA IN MIAMI CURRENTLY OPERATING "BLUE BOX" NAT MODELL IN NEW YORK AND [REDACTED] (LNU) IN JERSEY CITY, NEW JERSEY [REDACTED]

b6
b7c

THE FOLLOWING DEPARTMENTAL ATTORNEY'S WILL CONTACT FBI OFFICES AS FOLLOWS HAVING APPROPRIATE AFFIDAVITS AND WARRANTS WITH SPECIFIC INSTRUCTIONS: [REDACTED] AT BALTIMORE, MD.; [REDACTED] AT CLEVELAND, OHIO; [REDACTED] AT CLARKSDALE, MISS., BATON ROUGE, LA., AND NEW ORLEANS, LA.; [REDACTED] AT HUNTINGTON, WEST VA.; [REDACTED] AT NEWARK, NEW JERSEY AND NEW YORK CITY.

b6
b7c

CITIES WITH PREMISES ENUMERATED ABOVE TO BE ENTERED PURSUANT TO SEARCH WARRANT BASED ON PURPORTED VIOLATIONS ITWI AND ITAR. CITIES INVOLVED WITH ARRESTS AND SEARCHES BASED ON

PURPORTED VIOLATIONS ITWI, ITAR, AND FBW.

RECEIVED: 10:30 PM EFH

1-4-66

PLAINTEXT

TELETYPE

URGENT

1 - Mr. Baker
1 - Mr. Newpher

TO SAC MIAMI

FROM DIRECTOR FBI

b6
b7C

[REDACTED] AKA, AR, IGA; KENNETH HERBERT HANNA, AKA,
ETW, IYAR, FEW.

IT IS IMPERATIVE THAT THE BUREAU IS KEPT FULLY AND PROMPTLY ADVISED AS TO ALL DEVELOPMENTS IN CAPTIONED MATTERS, ESPECIALLY IN VIEW OF CONTEMPLATED ARRESTS AND SEARCHES SCHEDULED FOR JANUARY EIGHT AND NINE NEXT. THEREFORE, EFFECTIVE IMMEDIATELY, SUBMIT DAILY TELETYPE CONTAINING SUMMARY OF PROGRESS AND ALL OTHER SIGNIFICANT DEVELOPMENTS.

1/- Mr. Wick
1/- Mr. Bowers

165-1990-
NOT RECORDED
198 JAN 6 1966

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FJS:msm

(7)

JAN 4 1966

TELETYPE

MAIL ROOM ☐ TELETYPE UNIT ☐

FJS
JAN 5 1966

ORIGINAL FILED IN 92-3625-271

NA 1-5-66 DFB

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Wick	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Boyle
DD-5

TELETYPE UNIT

JAN 5 1966

ENCODED MESSAGE

175766 M.F.R.

FBI NEW YORK

6:34 PM EST

URGENT

TO DIRECTOR, FBI //13// AND NEWARK AND MIAMI (165-592)

NEWARK AND MIAMI VIA WASHINGTON " ENCODED "

FROM NEW YORK (165-1344) P

KENNETH HERBERT HANNA, AKA, ITWI, ITAR, FBW, OO: MIAMI

REMMTEL TO BU JANUARY FOUR LAST AND MMTEL TO BU JANUARY FIVE LAST.

EXHAUSTIVE FILE REVIEW IN NYO RE NAT MODELL CONCERNING CURRENT
RELIABLE INFORMANT INFO NEGATIVE.

NYCPD REFLECTS ONE NATHANIEL MODELL, E NUMBER ONE TWO ZERO TWO SIX,
ARRESTED TEN TWENTYTHREE THIRTYSIX AND FIVE TWENTYEIGHT FORTY FOR BOOK-
MAKING. b2
b7D
b6
b7C

ATTEMPTS TO CONTACT [REDACTED] AND FORMER PCI
[REDACTED] NAT MODELL, NEGATIVE.
TO DATE.

PCI [REDACTED] KENNETH HERBERT
HANNA, ADVISED HE DOES NOT KNOW NAT MODELL. ATTEMPTS TO CONTACT [REDACTED]
[REDACTED]

NEGATIVE TO DATE.

b2
b7D
b6
b7C

END

WA..DLH

FBI WASH DC

57 JAN 13 1966

CC-MR. ROSEN *729*

REC-6

165-1990-3

12 JAN 6 1966

EX-103

RELAYED TO *AK/mm*

1/6/66

CODE

TELETYPE

URGENT

TO SACS MIAMI REC-56
NEWARK

FROM DIRECTOR FBI

KENNETH HERBERT HANNA, AKA, ITWI; ITAR; FBI.

REMMTEL JANUARY FOUR LAST AND NKTTEL JANUARY FIVE LAST.

REMMTEL ADVISED TAPES REFLECT SUBJECT'S GAMBLING ACTIVITIES

CLOSELY CONNECTED WITH GAMBLING ACTIVITIES OF [REDACTED]

[REDACTED] (LNU), APPARENT EMPLOYEE OF [REDACTED] RENKTEL ADVISED

[REDACTED] RESIDES IN BUILDING WHERE TELEPHONES
UTILIZED BY [REDACTED] (LNU) ARE LOCATED.

MM SHOULD DEFINITELY DETERMINE IF TAPES REVEAL SUBJECT'S
GAMBLING ACTIVITIES CONNECTED WITH [REDACTED] OR THAT [REDACTED]
COULD POSSIBLY BE [REDACTED]

NK ALSO REFERRED TO MM REPORT THIS CASE DATED NOVEMBER NINE,
ONE NINE SIX FIVE SHOWING SUBJECT ARRESTED IN NEW JERSEY JANUARY,
ONE NINE SIX FOUR FOR BOOKMAKING; WHEN ARRESTED ACCOMPANIED BY

[REDACTED] NK SHOULD CONSIDER POSSIBILITY [REDACTED] (LNU) BEING
SAME REPORT INCLUDES INFORMATION FROM [REDACTED]

[REDACTED] CONCERNING GAMBLING ACTIVITIES OF [REDACTED] NK

Tolson _____ SHOULD CONTACT THIS SOURCE, AS WELL AS OTHERS, RELATIVE TO DATA

DeLoach _____

Mohr _____

Casper _____

Callahan _____

Conrad _____

Felt _____

Gale _____

Rosen _____

Sullivan _____

Tavel _____

Trotter _____

Wick _____

Tele. Room _____

Holmes _____

Gandy _____

REQUESTED IN REMMTEL

VIA TELETYPE

JAN 6 1966

ENCIPHERED

SEE NOTE PAGE 2.

JON:rmg

-3-

JAN 12 1966

MAIL ROOM

TELETYPE UNIT

Teletype to MM, NK
Re: Kenneth Herbert Hanna

NOTE:

MM contemplates arrest of subject and others 1/8/66 contingent upon info developed by NK and other offices. Info legally obtained by [redacted] reveals subject's gambling operation closely connected with individuals in N.J. and that he places bets and exchanges "line" info with an individual in NY. Identities of these individuals and extent of their gambling activities now being ascertained. b7D

Teletype used due to urgency.

NR.	01-2020
ENC.	file
CK.	file
APPROVED BY	[signature]
TYPED BY	
LOGGED BY	

7/1/66
DECODED COPY

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

9:31 PM EST URGENT 1-5-66 EJC

TO DIRECTOR, MIAMI AND NEW YORK

NEW YORK VIA WASHINGTON - ENCODED

FROM NEWARK 060030

5
9- J. J. [unclear]
KENNETH HERBERT HANNA, AKA, ITWI ITAR FBW OO: MM.

RE MIAMI TEL JANUARY 4 LAST AND NYTEL CALL THIS DATE.

TELCO RECORDS SHOW [REDACTED] SUBSCRIBED TO BY [REDACTED]

[REDACTED] SINCE JUNE, 1964 LAST,
OCCUPATION SELF-EMPLOYED MUSICIAN. [REDACTED] IS AUXILLIARY
LINE UNDER NAME [REDACTED] AT SAME ADDRESS. ALSO AT THIS
ADDRESS IS LISTING [REDACTED]

UTILITIES COMPANY RECORDS SHOW [REDACTED]
RESPONSIBLE FOR SERVICE [REDACTED]
[REDACTED], HAVING ASSUMED RESPONSIBILITY FOR [REDACTED] ON JUNE 3,
1964. RECORDS SHOW FORMER RESIDENCE AT [REDACTED]
[REDACTED] AND EMPLOYMENT AS ASSISTANT FOREMAN [REDACTED]
[REDACTED] FOR EIGHT YEARS.

NO UTILITIES RECORD FOR [REDACTED] CREDIT RECORDS CORROBORATE

b6
b7C

b6
b7C

REC-56

165-1990-4
12 JAN 7 1966
9- [unclear]

EX-101

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

PAGE TWO FROM NEWARK 060030

INFO RE [REDACTED] SHOWING DOB AS [REDACTED] WIFE [REDACTED] NO CREDIT

RECORD FOR [REDACTED] OBSERVATION OF PREMISES SHOW [REDACTED]

[REDACTED] TO BE TWO-STORY FRAME DWELLING. SUPERVISOR [REDACTED]

NK ATTEMPTING TO IDENTIFY [REDACTED] LNU, APPARENT EMPLOYEE OF

[REDACTED] TELEPHONE SOURCE ADVISED TODAY THAT LINE CARDS SHOW

[REDACTED] OPERATIVE. FORMER NUMBER SHOWS ONE

EXTENSION AND ALTHOUGH RECORDS FOR LATTER NUMBER ARE INCONCLUSIVE,

CAPACITANCE TEST INDICATES A SECOND INSTRUMENT HERE ALSO.

POSSIBILITY EXISTS EXTENSIONS ARE IN REMOTE LOCATION.

APPROPRIATE SOURCES BEING ALERTED.

RECEIVED: 9:54 PM JG

TELETYPE UNIT

JAN 8 1966

ENCODED MESSAGE

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Mr. Wick _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

\$

FBI NEW YORK

2 10 PM URGENT 1-8-66 MFK

TO DIRECTOR -4- MIAMI AND NEWARK

MIAMI AND NEWARK VIA WASHINGTON - ENCODED
FROM NEW YORK 1 PG

KENNETH HERBERT ^DHANNA AKA ITWI.

REFERENCED NEW YORK TELETYPE TO BUREAU AND SACS,
JANUARY SEVEN, NINETEEN SIXTY SIX, NA D NEW YORK TELEPHONE
CALLS, JANUARY EIGHT, SIXTY SIX.

NAT MODELL, TRUE NAME NATHAN MODEL, ARRESTED WITHOUT
INCIDENT, BY BUREAU AGENTS AT TEN TWENTY FIVE AM, THIS DATE,
AS HE WAS LEAVING HIS HOTEL ROOM. SEARCH OF HOTEL ROOM,
PURSUANT TO SEARCH WARRANT, PRODUCED THREE SLIPS OF PAPER
BEARING HANDWRITTEN NAMES AND NOTATIONS. SEARCH INCIDENTAL
TO ARREST OF PERSON, PRODUCED ONE THOUSAND, SIX HUNDRED AND
TWO DOLLARS, TEN CENTS CASH, SLIP OF PAPER BEARING HANDWRITTEN
NOTATIONS, AN ADDRESS BOOK, AND CURRENT BASKETBALL AND HOCKEY
SCHEDULE FROM MULTIPLE SPORTS SERVICE, MIAMI, FLORIDA, WITH
HANDWRITTEN NUMBERS OPPOSITE GAMES. MODELL DECLINED TO
FURNISH ANY INFORMATION RE HIS ACTIVITIES. BEING PLACED IN
FEDERAL DETENTION HDQ, NYC, FOR SAFE KEEPING UNTIL ARRAIGNMENT,
JANUARY TEN, SIXTY SIX. PRESS RELEASE MADE. RETURN ON SEARCH
WARRANTS TO BE MADE ON JANUARY TEN, SIXTY SIX.

END

MCS FBI WASH

MR. DELOACH FOR THE DIRECTOR

11 JAN 10 1966

165-1990-5
b6
b7C

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

11:36 PM EST URGENT 1-7-66 LAS

TO DIRECTOR AND NEWARK

FROM MIAMI 072020

[REDACTED] AKA. AR; IGA.

b6
b7C

① KENNETH HERBERT HANNA, AKA. ITWI; ITAR; FBW.

RE NEWARK RADIOGRAM, JANUARY 5 LAST. MIAMI CANNOT DETERMINE IF CALLS CURRENTLY BEING MADE TO [REDACTED] OR

b6
b7C

[REDACTED] MAGNETIC TAPES AVAILABLE TO MIAMI DO NOT CONTAIN ANY COMPLETED CALLS THESE NUMBERS. TAPES REVEAL AN ATTEMPT TO CALL [REDACTED] ON DECEMBER 18, 1965, BUT CALL NOT COMPLETED. THIS CALL OCCURRED AFTER HANNA ATTEMPTED TO OBTAIN [REDACTED] NEW NUMBERS.

DEPARTMENTAL ATTORNEY WALLACE JOHNSON ADVISES THIS INFORMATION INSUFFICIENT FOR PROBABLY CAUSE OF SEARCH AT [REDACTED]

b6
b7C

FOR INFO NEWARK, JOHNSON TELEPHONICALLY DISCUSSED THIS MATTER WITH DEPARTMENTAL ATTORNEY RICHARDS AT NEWARK.

RECEIVED 11:49 PM EFH

165-1990-

NOT RECORDED

178 JAN 11 1966

ORIGINAL FILED IN 92-3625-285

Intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 7 1966

TELETYPE

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Mr. Wick _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

FBI JKN MISS

12:57 CST URGENT 1-7-66 RJH

TO: DIRECTOR AND MIAMI

FROM: JACKSON (92-92)

b6
b7C

[REDACTED] AKA, AR, IGA; KENNETH, HANNA, AKA

ITWI.

REBUTEL TO MIAMI JANUARY SIX LAST. AND JACKSON TELCALL TO BUREAU TODAY. THIS MATTER DISCUSSED WITH USA H. M. RAY, NDM, ON JANUARY SIX LAST BY DEPARTMENTAL ATTORNEY OWEN NEFF AND JACKSON AGENTS JANUARY SEVEN INSTANT. CONSENSUS OF OPINION IS THAT INSUFFICIENT EVIDENCE AVAILABLE AT THIS TIME TO SUSTAIN WARRANT OF ARREST AT TIME OF SEARCH. ACCORDINGLY, NO ARREST WILL BE MAKE BY [REDACTED] UNLESS CIRCUMSTANCES AT TIME OF SEARCH PRECIPITATE SAME.

END PAGE ONE.

b6
b7C

JAN 10 1966

NOT RECORDED

174 JAN 11 1966

JAN 13 1966

229

ORIGINAL FILED IN 92-3625-289

PAGE TWO

[REDACTED]
[REDACTED] DESCRIBED AS

WHITE MALE, AGE [REDACTED], BORN [REDACTED]

[REDACTED] AT

[REDACTED], HEIGHT [REDACTED], WEIGHT

[REDACTED], HAIR [REDACTED] EYES [REDACTED] COMPLEXION

[REDACTED] EDUCATION [REDACTED] MILITARY SERVICE [REDACTED]

[REDACTED]
[REDACTED] OCCUPATION [REDACTED]
[REDACTED]

END ...

WA...BJH

FBI WASH DC

MM...SHR

FBI MIAMI

TU

cc - *Mr. Newpher*

b2
b6
b7C

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 6 1966

TELETYPE

FBI JKN MISS

FBI WASH DC

706PM EST URGENT 1-6-66 MRW

TO MIAMI, BALTIMORE, CLEVELAND, JACKSON, NEWARK, NEW ORLEANS, NEW YORK
AND PITTSBURGH

FROM DIRECTOR 2P

b6
b7C

[REDACTED] AKA, AR; IGA; KENNETH HANNA, AKA, ITWI.

IN CONNECTION WITH CONTEMPLATED SIMULTANEOUS RAIDS
JANUARY EIGHT, NEXT, ALL OFFICES INSURE THAT IMMEDIATE RETURN OF
SEARCH WARRANTS TO UNITED STATES COMMISSIONER IN EACH DISTRICT IS
EXPEDITED AND THAT BUREAU IS TELEPHONICALLY NOTIFIED OF FILING OF
SEARCH WARRANTS AND RESULTS OF SEARCHES.

IN EVENT RESISTANCE MET IN CONNECTION WITH SERVICE OF SEARCH
WARRANTS DEPARTMENT ADVISES SUFFICIENT LEGAL BASIS EXISTS TO ARREST
SUCH INDIVIDUALS FOR IMPEDING LEGALLY AUTHORIZED SEARCH.

INASMUCH AS SUFFICIENT DATA DEVELOPED TO SATISFY PARTICULARITY
CLAUSES RE SEARCH WARRANTS FOR PERSONS INVOLVED THIS MATTER
UNITED STATES ATTORNEY AND DEPARTMENTAL ATTORNEYS SHOULD BE CONSULTED
RE SECURING SEARCH WARRANTS FOR THE PERSON OF INDIVIDUALS INVOLVED.

END PAGE ONE

92-3625-267

ORIGINAL FILED IN

165-1990-

NOT RECORDED
183 JAN 7 1966

JAN 10 1966

PAGE TWO

SEARCH WARRANTS FOR AUTOS BELONGING TO THESE PERSONS
SHOULD ALSO BE OBTAINED.

FOR INFORMATION OF ALL OFFICES DEPARTMENT TODAY ADVISES
THAT ARREST WARRANTS FOR SUBJECTS IN EACH LOCALITY WITH THE
EXCEPTION OF MIAMI AND CLEVELAND SHOULD BE OBTAINED IF
UNITED STATES ATTORNEY OR DEPARTMENTAL ATTORNEY OF OPINION
SUFFICIENT PROBABLE CAUSE EXISTS. ADVISE BUREAU TELEPHONICALLY
BY TWELVE NOON JANUARY SEVEN, NEXT, EASTERN STANDARD TIME WHETHER
ARRESTS WILL BE MADE IN EACH LOCALITY.

END

JN...GMJ

FBI JKN MISS

CLR TKS

Tolson ☒
 DeLoach ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 Felt ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Wick ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

124 PM EST DEFERRED 1-6-66 SHR

TO DIRECTOR, BALTIMORE, JACKSON, NEWARK, NEW ORLEANS, NEW YORK

AND PITTSBURGH

NEW YORK VIA WASHINGTON-ENCODED

FROM MIAMI 061715

b6
b7C

[REDACTED] AKA, AR, IGA: KENNETH HANNA, AKA, ITWI.

BUREAU REQUESTED IF POSSIBLE THE RETURN OF SEARCH WARRANTS BE FILED WITH USC IN EACH DISTRICT IMMEDIATELY AFTER SEARCHES COMPLETED AND BUREAU ADVISED OF FILING SEARCH AND SEIZURE WARRANTS TELEPHONICALLY FOR CONSIDERATION OF NATIONWIDE PRESS RELEASE FROM WASHINGTON JANUARY 8 NEXT.

DEPARTMENTAL ATTORNEY BRIAN GETTINGS ADVISED TODAY HE WAS CONFIDENT SEALED INDICTMENTS WOULD BE RETURNED AND BUREAU AGENTS THEREAFTER MAKING ARREST.

RECEIVED: 1:32 PM JMV

16 JAN 7 1966

MR. DELOACH FOR THE DIRECTOR

CC: MR. GALE

165-1990-
NOT RECORDED
162 JAN 7 1966

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

ORIGINAL FILED IN 92-3625-268

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

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☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

9:33 PM EST DEFERRED 1-6-66 PJR

TO DIRECTOR AND NEWARK

FROM MIAMI 070135

KENNETH HERBERT HANNA AKA, ITWI, ITAR, FBW.

RE BUREAU RADIOGRAM INSTANT.

BASED ON TAPES MIAMI CANNOT DEFINITELY DETERMINE SUBJECT'S GAMBLING ACTIVITIES REVEALED IN TAPES ARE CONNECTED WITH

[REDACTED] TAPES DO NOT CONTAIN CALLS TO [REDACTED] BUT RATHER TO [REDACTED] (LNU), [REDACTED] MIAMI KNOWS [REDACTED] TO BE GAMBLING ASSOCIATE OF SUBJECT, TO BE ASSOCIATED WITH VILLA CAPRI RESTAURANT, AND TO VISIT FLORIDA. SUBJECT IN TAPES ATTEMPTED TO CONTACT [REDACTED] AT VILLA CAPRI AND ALSO DISCUSSES TRIP BY [REDACTED] TO FLORIDA. BASED ON THIS MIAMI BELIEVES BUT CANNOT SUBSTANTIATE FROM TAPES THAT [REDACTED] IS [REDACTED].

RECEIVED: 10:03 PM JR

REC-11

165-19906

JAN 10 1966

b6
b7C

SPECIAL INVESTIGATIVE DIVISION

January 8, 1966

This arrest is in connection with the simultaneous raids being made today of gambling establishments operated by [redacted] of Miami, [redacted] of Baton Rouge, Louisiana, and others. The Special Investigative Division concurs with the press release prepared by our New York Office.

b6
b7C

[Handwritten signature]

[Handwritten signature]

RECEIVED
JAN 10 1966
FBI

JAN 10 2 13 PM '66

73-4-102

TELETYPE UNIT

JAN 7 1966

ENCODED MESSAGE

FBI NEW YORK

6:04 PM EST URGENT 1/7/66 M.F.R.

TO DIRECTOR, FBI //10// MIAMI (165-592) AND NEWARK
MIAMI AND NEWARK VIA WASHINGTON " ENCODED "
FROM NEW YORK (165-1344) P

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Also known as Interstate Transmission of Wagering Information
KENNETH HERBERT HANNA AKA ITWI

b6
b7C

COMPLAINT FILED THIS DATE BY SA [REDACTED] MIAMI,
United States Commissioner SOUTHERN DISTRICT OF NEW YORK
BEFORE USC EARL N. BISHOPP, SDNY CHARGING NAT MODELL WITH VIOLATIONS
OF TITLE EIGHTEEN, ^{UNITED STATES CODE} USC, SECTIONS TWO, THREE SEVEN ONE, ONE ZERO EIGHT
FOUR AND ONE NINE FIVE TWO. ARREST AND SEARCH WARRANTS ISSUED. ^{NEW YORK OF} NYO
CONTEMPLATES ARRESTING MODELL AND SEARCHING HIS PREMISES AT ELEVEN AM
ONE EIGHT SIXTYSIX.

FOLLOWING PRESS RELEASE WILL BE MADE BY NYO IMMEDIATELY FOLLOWING
ARREST ^{Unless Advised to Contrary by Bureau} ~~UACB~~:

JOHN F. MALONE, ASSISTANT DIRECTOR, FBI, IN CHARGE OF THE NYO,
ANNOUNCED TODAY THE ARREST OF NAT MODELL AGE FIFTYSEVEN, OF ONE TWO
THREE WEST FIFTYSEVENTH STREET, NY, NY. THE ARREST WAS BASED
ON A COMPLAINT FILED BEFORE THE ^{United States Commissioner} ~~USC~~ AT NY, NY, CHARGING MODELL WITH THE
USE OF INTERSTATE WIRE FACILITIES BETWEEN NEW YORK AND MIAMI, FLORIDA
IN FURTHERANCE OF A GAMBLING OPERATION WHICH IS AN VIOLATION OF SECTIONS
TWO, THREE SEVEN ONE, AND ONE ZERO EIGHT FOUR AND ONE NINE FIVE TWO,
END PAGE ONE

FBI

REC'D DE FOYCH

50 JAN 18 1966

MR. DELOACH FOR THE DIRECTOR

229

JAN 8 15 02 PM '66

DELAYED TO

PAGE TWO

United States Commissioner

USC, TITLE EIGHTEEN. MODELL WILL BE ARRANGED BEFORE THE ~~USE~~, SDNY ON ONE TEN SIXTYSIX. IF CONVICTED MODELL CAN BE SENTENCED TO TWO YEARS IMPRISONMENT OR TEN THOUSAND DOLLARS FINE OR BOTH.

BUREAU WILL BE IMMEDIATELY ADVISED OF ARREST AND RESULTS OF SEARCH.

END

WA..DLH RELAY

FBI A WASH DC

cc *Gale*

RPP

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

R-50

URGENT 1-4-66 1:36 PM

TO DIRECTOR NEW YORK AND NEWARK

NEW YORK VIA WASHINGTON - ENCODED

FROM MIAMI 041630

Mr. [unclear]
St. [unclear]
Casper
**5*

KENNETH HERBERT HANNA, AKA. ITWI, ITAR, FBW. OO: MIAMI.

E

RE MIAMI AIRTEL TO BUREAU DECEMBER 27 LAST.

EVALUATION MAGNETIC TAPES REVEAL SUBJECT ACTIVE BOOKMAKER HANDLING SPORTING EVENTS AND HORSE RACING. TAPES REFLECT SUBJECT'S GAMBLING ACTIVITIES CLOSELY CONNECTED WITH GAMBLING ACTIVITIES [redacted] AND [redacted] (LNU) APPARENT EMPLOYEE OF [redacted] TAPES INDICATE [redacted] AS OF DECEMBER 1965, OPERATING FROM TELEPHONE [redacted] JERSEY CITY AND POSSIBLY ALSO OPERATING AT [redacted] JERSEY CITY. TAPES INDICATE [redacted] APPARENTLY MAINTAINING RECORDS [redacted] OPERATION.

h

REC-98

105-19908

TAPES REVEAL SUBJECT BETS AND EXCHANGES SPORT LINE WITH NAT MODELL, ROOM 507, SALSBURY HOTEL, NEW YORK CITY, TELEPHONE 2461300.

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b7c

39 JAN 11 1966
229

9-8

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

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☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

PAGE TWO FROM MIAMI 041630

DEPARTMENTAL ATTORNEY WALLACE JOHNSON, MIAMI, CONSIDERING ARREST OF MODELL AND [REDACTED] SATURDAY 8 NEXT. SIMULTANEOUSLY WITH ARREST OF HANNA AT MIAMI. JOHNSON ADVISED ARREST OF MODELL AND [REDACTED] (LNU) CONTINGENT ON INVESTIGATION ESTABLISHING THE FOLLOWING:

NEWARK, COMPLETE IDENTITY OF [REDACTED] (LNU). NEWARK AND NEW YORK, ONE, CURRENT RELIABLE INFORMANT INFO RE MODELL AND [REDACTED] (LNU) AS TO GAMBLING ACTIVITIES. TWO, CURRENT PHYSICAL LOCATION OF BOTH. THREE, DETERMINE IF FEDERAL WAGERING STAMP HELD.

NO INQUIRY TO BE MADE WHICH WOULD JEOPARDIZE PROPOSED ARREST IN MIAMI 8 NEXT.

CC AM PHILADELPHIA.

RECEIVED: 1:54 PM MCS

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b6
b7C

CC-MR. ROSEN

RECEIVED
COMMUNICATIONS SECTION
JAN 9 1966
FBI NEW ORLEANS

[Handwritten signature]

FBI NEW ORLS

5-02 PM CST URGENT 1/8/66 OLP

TO DIRECTOR (92-3625) AND MIAMI (92-353)
FROM NEW ORLEANS (92-183)

b6
b7c

5

[Handwritten signatures: "Mesa" and "Baker"]

[REDACTED], AKA.; AR; KENNETH HANNA, AKA.; ITWI.
RE NEW ORLEANS TEL CALLS TO BUREAU AND MIAMI TODAY.

BUREAU AGENTS AT TEN AM, CENTRAL STANDARD TIME, TODAY,
SERVED SEARCH WARRANTS ON [REDACTED] AT HIS RESIDENCE,

[REDACTED], NEW ORLEANS, ON [REDACTED]

[REDACTED] NEW ORLEANS, AND ON THE
RESIDENCE OF [REDACTED] AT BATON ROUGE, LOUISIANA,

[REDACTED] IT WAS NECESSARY TO BREAK THE
LOCK ON THE DOOR AT [REDACTED], BATON ROUGE,

IN ORDER TO GAIN ENTRANCE. THE ONLY OCCUPANT IN THIS APARTMENT
ON THE INSTITUTION OF THE SEARCH WAS [REDACTED]

FROM THE SEARCH OF THE PERSON OF [REDACTED] WAS
OBTAINED A SHEET OF PAPER WHICH APPEARED TO BE A RECAP SHEET,
WHICH PAPER CONTAINED CODE NAMES AND FIGURES REPRESENTING
DOLLARS. OBTAINED FROM HIS APARTMENT WERE BASKETBALL SCHEDULES,
END PAGE ONE

92-3625-292
ORIGINAL FILED IN

JAN 10 1966

1-65-1990-
NOT RECORDED
180 JAN 10 1966

50 JAN 13 1966
229

PAGE TWO

A DAILY RACING FORM, THREE SHEETS OF PAPER BEARING INDENTED MARKINGS AND ONE SHEET OF PAPER BEARING AREA CODES AND TELEPHONE NUMBERS.

b6
b7C

SEARCH WARRANTS SERVED ON [REDACTED]

[REDACTED] NEW ORLEANS, REVEALED VARIOUS PIECES OF PAPER CONTAINING NOTATIONS AND NUMBERS INDICATING BETTING ACTIVITY, AND IN THE PERSONAL WALLET OF [REDACTED] WAS A SLIP OF PAPER BEARING THE NOTATION, [REDACTED]

[REDACTED] BILLING NUMBER [REDACTED]

[REDACTED], AND NUMBER [REDACTED]

[REDACTED] " INSTANT NUMBER IS ONE OF THE SUSPECTED LONG DISTANCE TOLL CREDIT CARD NUMBERS.

AFTER AGENTS IDENTIFIED THEMSELVES AT [REDACTED]

[REDACTED] BATON ROUGE, AND ANNOUNCED THEIR INTENTIONS,

[REDACTED], WHO WAS OCCUPANT OF ABOVE RESIDENCE, REFUSED TO ADMIT AGENTS, AT WHICH TIME ENTRY WAS THEN FORCED. AS A RESULT OF THE SEARCH, AGENTS SEIZED MISCELLANEOUS NOTES THAT APPEARED TO

END PAGE TWO

PAGE THREE

BE CONNECTED WITH GAMBLING, ONE BOX LABELED "THREE BLACK JACK LAY OUTS - INSURANCE STYLE," AND TWO BOXES LABELED "ONE DICE LAY OUT TABLE, FOUR FEET BY ELEVEN FEET." AGENTS COMPLETED SEARCH OF PREMISES AT TWELVE TWENTY P.M. AND WARRANT RETURNED TO U. S. COMMISSIONER, TWELVE FIFTY P.M.

RETURNS WERE MADE TO THE U. S. COMMISSIONER, FRITZ WINDHORST, NEW ORLEANS, ON THE SEARCHES CONDUCTED AT NEW ORLEANS, AND ON THE SEARCH OF THE BATON ROUGE RESIDENCE BEFORE DEPUTY COURT CLERK, C. H. BANTA, WHO WAS ACTING U. S. COMMISSIONER.

END

WA.. NHH

FBI WASH DC

MM LAS

FBI MIAMI

TU CLR5TCLBFN=TP

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 8 1966

TELETYPE

FBI WASH DC

THE MIAMI

421PM URGENT 1-8-66 RW

TO DIRECTOR /92-3625/

FROM MIAMI /92-353/

b6
b7C

[REDACTED] AKA. AR; IGA. KENNETH HERBERT

HANNA, AKA. FBW, ITWI, ITAR.

MIAMI EXECUTED SEARCH WARRANTS ON RESIDENCES OF [REDACTED]

[REDACTED] AND TWO ADDRESSES FOR MARTIN SKLAROFF AS WELL AS EXECUTED SEARCH WARRANTS FOR THEIR PERSONS AT ELEVEN A.M. TODAY. SIMULTANEOUSLY KENNETH HANNA TAKEN IN CUSTODY AT HIS RESIDENCE AND SEARCH WARRANT EXECUTED AT SAME. ALL ACTION TAKEN BY BUREAU AGENTS IN ACCORDANCE WITH PLANS AND WITHOUT INCIDENT. AT RESIDENCES OF [REDACTED] AND APARTMENT FOR SKLAROFF AS WELL AS HANNA, BOOKMAKING PARAPHERNALIA SEIZED. AT HANNA RESIDENCE "BLUE BOX" SEIZED. AT APARTMENT USED BY SKLAROFF, ONE THREE ONE NINE N.E. ONE ZERO FIVE STREET, APT. FOUR, A "CHEESE BOX" SEIZED AND ALSO DISCOVERED OTHER ELECTRONIC AND TELEPHONIC EQUIPMENT.

END PAGE ONE

b6
b7C

165-1990-3625-
NOT RECORDED
167 JAN 11 1966

MR. DELOACH FOR THE DIRECTOR

11 JAN 10 1966

70 JAN 13 1966

229

ORIGINAL FILED IN
ORIGINAL FILED IN

5
92-3625-293

PAGE TWO

AGENTS ACCEPTED NUMEROUS CALLS AT [REDACTED] HANNA'S
AND APT. USED BY SKLAROFF CONCERNING BETS AND INFORMATION
RE "LINE."

b6
b7C

HANNA BROUGHT TO MIAMI OFFICE FOR PHOTOGRAPHING
AND FINGERPRINTING AND LODGED IN DADE COUNTY JAIL IN DEFAULT
OF FIVE THOUSAND DOLLARS BOND.

ADMITTANCE TO ALL PLACES SEARCHED GRANTED EXCEPT AT
RESIDENCE OF HANNA WHERE IT WAS NECESSARY TO FORCIBLY ENTER.

OTHER DIVISIONS TELEPHONICALLY CONTACTED MIAMI INDICATING
SUCCESSFUL OPERATION IN EACH INCLUDING THE ARREST OF NAT
MODELL IN NEW YORK CITY.

DEPARTMENTAL ATTORNEY, MIAMI, FEELS OPERATION MOST
SUCCESSFUL. WIDESPREAD PRESS INQUIRY BEING RECEIVED AT
MIAMI AND PRESS RELEASE ISSUED. LOCAL NEWSPAPERS TOOK
PHOTOGRAPHS OF "BLUE BOX" AND "CHEESE BOX" AT MIAMI OFFICE
FOR PUBLICITY.

END

MANHH

FBI WASH DC

©

cc Gale
+
Rosen

F B I

Date: 1/10/66

Transmit the following in A I R T E L
(Type in plain text or code)Via _____
(Priority)

TO: DIRECTOR, FBI (165-1990)

FROM: SAC, MIAMI (165-592) (P)

KENNETH HERBERT HANNA, aka
ITAR; ITWI; FBWRe Miami airtels, 12/27/65, and 1/10/66, and
Miami teletype, 1/8/66.Hearing before USC EDWARD P. SWAN, Miami, SDF,
held 1/10/66, for subject. Bond continued at \$5,000 and
preliminary hearing set for 1/20/66. Subject represented
by Attorney BEN COHEN.3 - Bureau
1 - Miami
WFH:bjc
(4)

EX-107

REC-47

165-1990-9
5 JAN 12 1966Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

F B I

Date: 1/10/66

Transmit the following in A I R T E L
(Type in plain text or code)Via _____
(Priority)

TO: DIRECTOR, (165-1990)

FROM: SAC, MIAMI (165-592) (P)

KENNETH HERBERT HANNA, aka
ITAR; ITWI; FBW

Re Miami airtels, 12/27/65, and 1/10/66, to
the Bureau.

For information of New York, subject arrested
1/8/66, and premises searched pursuant to search warrant.
Found in subject's apartment was an electronic box, photo-
graph of which was forwarded to New York with referenced
airtel, 1/10/66. This box was black rather than blue as
anticipated.

Also found in subject's apartment was a shipping
cardboard carton suitable in size for shipment of the
electronic box and this cardboard carton contained packing
material. The carton reflects that it was sent Airmail
Special Delivery from New York City 12/16/65, to Mr.
KENNETH HANNA, 2990 Northeast 170th Street, North Miami
Beach, Fla. The address label on this carton reflects
that the carton was sent from [redacted]
[redacted] New York, New York." Miami believes that possibly
the above-described carton was utilized in the shipment of
the electronic box found on HANNA's premises and that

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b7c

3 - Bureau
2 - New York
1 - Miami
WFH:bjc
(6)

EX-103

REC-56

165-1990-10

JAN 12 1966

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

MM 165-592

possibly the origin of this or similar electronic boxes
may be from [REDACTED]

b6
b7C

LEAD

NEW YORK

AT NEW YORK, NEW YORK

Immediately determine background information concerning [REDACTED] and his business. In the event New York does not have any reason to the contrary, [REDACTED] should be interviewed concerning the shipment made to HANNA. In the event [REDACTED] is in the electronic equipment business, New York should advise Miami prior to conducting an interview and await instructions in this regard.

b6
b7C

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holloman _____
 Gandy _____

11/8/66
 DECODED COPY

GRAM ☐ CAPTION ☐ RADIO ☒ TELETYPE

1:12 AM EST URGENT 1-8-66 RTG

TO DIRECTOR (92-3625)

FROM MIAMI 070500

AR; IGA. KENNETH HANNA, ITWI.

b6
 b7C

REBU TELEPHONE CALL TO MIAMI TODAY.

SEARCH WARRANTS ISSUED MIAMI TODAY FOR PERSON AND PREMISES

OF FOLLOWING:

[REDACTED]
 [REDACTED]
 [REDACTED] NORTH MIAMI AND MARTIN SKLAROFF, 12434 NE FIRST AVE., NORTH MIAMI. SEARCH WARRANT FOR PREMISE ALSO ISSUED FOR SKLAROFF'S OPERATION, 1319 NE 105 STREET, APARTMENT 4, MIAMI SHORES. WARRANTS BASED ON VIOLATIONS OF TITLE 18, USC, SECTIONS 1084 AND 1952, FOR KENNETH HANNA AND SEARCH WARRANT FOR PREMISES 229 NE 170 STREET APARTMENT 2, NORTH MIAMI BEACH, BASED ON VIOLATIONS OF TITLE 18, USC, SECTIONS 1084, 1952 AND 1343. \$5,000 BOND RECOMMENDED.

RECEIVED: 1:29 AM LRC

165-1990-98
 NOT RECORDED
 178 JAN 11 1966

ORIGINAL FILED IN 92-3625-226

NA 1-10-66 DFB

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 7 1966

TELETYPE

FBI NEW ORLS

5-20 PM CST URGENT 1/7/66 OLP

TO DIRECTOR AND MIAMI
FROM NEW ORLEANS (92-183)

b6
b7C

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Wick	
Miss Holmes	
Miss Gandy	

[REDACTED]

AR, IGA; KENNETH HANNA, AKA ITWI.

RE NEW ORLEANS TEL TO BUREAU AND MIAMI, JANUARY SEVEN
INSTANT.

USA LOUIS C. LACOUR, NEW ORLEANS ADVISED AT FOUR TWENTY
FIVE PM TODAY THAT AS A RESULT OF A REVIEW OF THE LAW ON THIS
MATTER AND FROM CONFERRING WITH DEPARTMENTAL ATTORNEY OWEN NEFF,
THAT HE INTENDS TO AUTHORIZE WARRANTS TO BE ISSUED FOR THE
SEARCH OF THE PERSON OF [REDACTED] AT NEW ORLEANS
AND BATON ROUGE, AND FOR THE SEARCH OF THE PERSON OF

[REDACTED]

, KNOWN AS [REDACTED] HE ALSO HAS

AUTHORIZED THE ISSUANCE OF A SEARCH WARRANT FOR THE PREMISES
OF [REDACTED] AT NEW ORLEANS LOCATED AT [REDACTED]

[REDACTED]

[REDACTED], NEW ORLEANS, IN ADDITION TO THE WARRANTS FOR

THE SEARCH OF THE PREMISES OF [REDACTED] AT NEW ORLEANS
AND OF [REDACTED] AT BATON ROUGE.

END

WA....

MM MRW

FBI WASH DC

MM...

TU WA CLEAR

15 JAN 10 1966

90
165-1990
NOT RECORDED
200 JAN 10 1966

51 JAN 14 1966

ORIGINAL FILED IN 92-3025-283

Tolson _____
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 Gale _____
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 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

9:30 PM EST DEFERRED 1-6-66 PJR

TO DIRECTOR

FROM MIAMI 070130

b6
 b7C

AKA, AR; IGA: KENNETH HANNA, AKA, ITAR.

RE MIAMI TEL JANUARY 5 LAST.

NECESSARY PAPERS REACHED DEPARTMENTAL ATTORNEY'S IN
 CITIES INVOLVED IN RAIDS AND CERTAIN ARRESTS JANUARY 8 NEXT.

DISCUSSION USA MIAMI TODAY DISCLOSED HE IS AGREEABLE TO
 ARREST HANNA FOR FBW, ITWI, AND ITAR VIOLATIONS.

RECEIVED: 10:03 PM JR

165-1990
 NOT RECORDED
 172 JAN 10 1966

92
 JAN 10 1966

ORIGINAL FILED IN 92-3625-282

73
 51 JAN 14 1966

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

8:35 PM EST URGENT 1-6-66 EJC

TO DIRECTOR AND MIAMI

FROM NEWARK (165-663) 062330

[REDACTED] AKA; AR; IGA.

b6
b7C

KENNETH HANNA AKA; ITWI.

RE NK TELETYPE, DATE JANUARY 5 LAST.

INFO RECEIVED THIS DATE FROM UTILITIES COMPANY REGARDING
 USAGE AT [REDACTED] LOCATION
 OF TELEPHONE NUMBERS [REDACTED] SUGGEST PREMISES NOT
 IN USE AT THIS TIME. OBSERVATION IN AREA AND ATTEMPTED PRETEXT
 CALLS SHOW NO INDICATION OF OCCUPANCY. IN VIEW OF THIS, MIAMI
 SHOULD DISCUSS WITH DEPT. ATTY, UACB.

MIAMI PREVIOUSLY REQUESTED IDENTITY OF SUBSCRIBER TO

[REDACTED] NUMBER IS LISTED TO [REDACTED]

[REDACTED] WITH AUXILIARY NUMBER [REDACTED] WHICH APPEARS

IN LIST OF THOSE CALLED FROM HANNA TELEPHONES BETWEEN
 NOVEMBER 26 AND DECEMBER 16 LAST. ACCORDING TO RECORD

165-1990-
NOT RECORDED
172 JAN 10 1966

ORIGINAL FILED IN 92-3625-281

b6
b7Cb6
b7C

53 JAN 14 1966

JAN 10 1966

Tolson _____
 DeLoach _____
 Mohr _____
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 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

PAGE TWO FROM NEWARK 062330

[REDACTED] SERVICE CONNECTED DECEMBER 3 LAST. HE GAVE EMPLOYMENT AT [REDACTED] NO RECORD FOR WHICH CAN BE FOUND. CREDIT INQUIRY NEGATIVE. UTILITIES RECORDS CHECKED JANUARY 5 LAST SHOW [REDACTED] REQUESTED SERVICE BEGINNING DECEMBER 2 LAST GIVING OCCUPATION AS TRUCK DRIVER. HE REFUSED TO DIVULGE EMPLOYER. GAVE PREVIOUS ADDRESS AS [REDACTED] [REDACTED] NYC. RECORDS SHOWED PREMISES PREVIOUSLY OCCUPIED BY [REDACTED] WHOSE SERVICE WAS DISCONTINUED IN AUGUST FOR NONPAYMENT. SUGGESTED THAT [REDACTED] MAY BE IDENTICAL WITH [REDACTED] (LNU) CALLED BY HANNA. NEWARK INDICES NEGATIVE RE [REDACTED]

MIAMI ATTEMPT TO ASCERTAIN IF CALLS ARE CURRENTLY BEING MADE TO [REDACTED] AND IF PROBABLE CAUSE EXISTS TO OBTAIN SEARCH WARRANTS AGAINST [REDACTED] LOCATION. APPEARS PARTY FORMERLY AT [REDACTED] MIGHT BE PARTY PRESENTLY AT [REDACTED]

b6
b7C

RECEIVED: 9:33 PM RJB/EFH

UNITED STATES GOVERNMENT

Memorandum

TO: ATTENTION: DIRECTOR, FBI
IDENTIFICATION DIVISION
LATENT FINGERPRINT SECTION

DATE: 1/11/66

FROM: SAC, NEWARK (165-663)

SUBJECT: KENNETH HERBERT HANNA, aka.
ITWI; FBW

In connection with the execution of a search warrant at the second floor premises of [REDACTED] NJ, on 1/8/66, the following items were seized:

- 2 - Telephone Directories for Jersey City, Bayonne and Hoboken
- 1 - Newspaper, Jersey Journal, dated 12/17/65
- 1 - Newspaper, New York Herald Tribune, dated 12/17/65
- 1 - Telephone instrument, desk type, pink, telephone number [REDACTED]
- 1 - Telephone instrument - Princess type, white, telephone number [REDACTED] with broken line cord

For the information of the Identification Division, the Miami Division is in possession of legal evidence placing one [REDACTED] (LNU) at the location of the above-mentioned telephones where he was receiving wagering information via telephone from subject in Miami.

Owners of the premises, [REDACTED] claimed that the second floor apartment was rented by them to one [REDACTED]. Investigation has developed that [REDACTED] engages in bookmaking activities and there is reason to believe that he is identical with [REDACTED] (LNU).

The Identification Division is requested to expeditiously examine the above-listed material for latent fingerprints and if possible, compare any found with those of [REDACTED]. To date, no arrest record has been located for [REDACTED] however, it is possible he may have had military service. [REDACTED] was born [REDACTED] and has Social Security Number [REDACTED]. He is employed as an accordion player and is a member of Local 526 American Federation of Musicians. He presently resides at [REDACTED].

The Bureau, Miami and Newark should be furnished results of requested examination.

- 4 - Bureau (1 - Package)
- 1 - Miami (info) (165-592)
- 2 - Newark

JPW:hds
(7)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



REC-63
165-1990-11
1-103

18 JAN 12 1966

U.S. P.

NINE

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b7C

COPIES
40

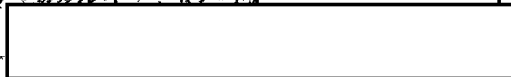
FEB 11 1968
MAR 23 1968
2-16-68-106

10 ~~20~~ photos

165-1990-11 LC 64617
1/11/66 (Date of incrim. set from Newark)

Kenneth Herbert Hanna,
aka.
JTWL, FBW

1 ~~10~~ fingerprints
~~2~~ palm prints

(9 ~~latent~~ + 2 ~~app~~)


b6
b7C

165-1990-11

Photos of latents

Qw /
JSS



165-1990-11

3

b6
b7C

1-267
PHONE
1-267
CENTRAL
INVESTIGATION
DIVISION
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Black powder

LC 64617

165-1990-11

CASE NO.
U. S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

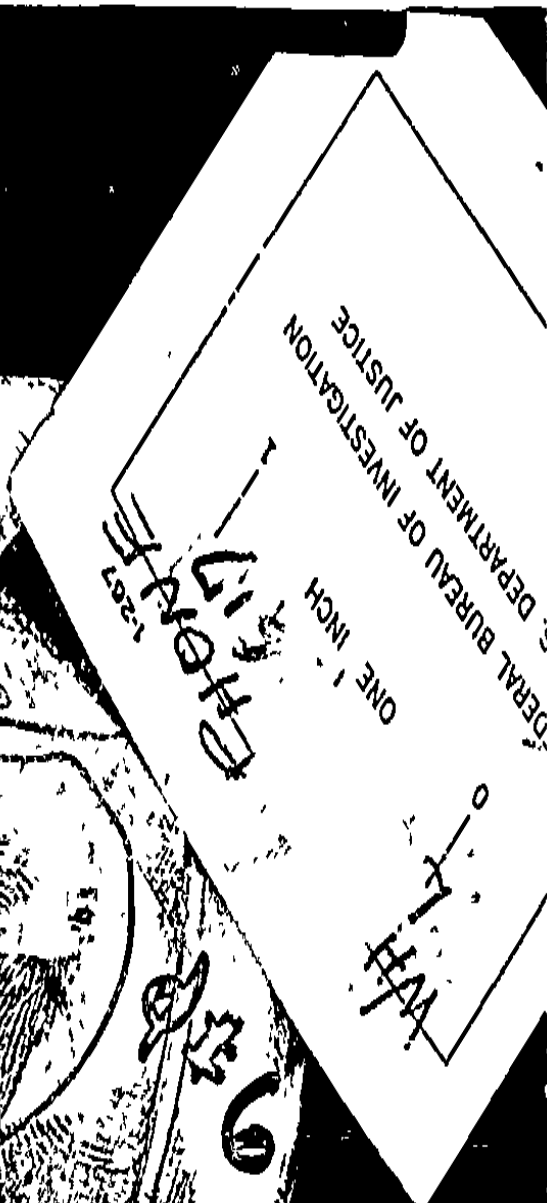
ONE INCH
1 0
WHITE
1-267
64617

b6
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black powder

LC64617

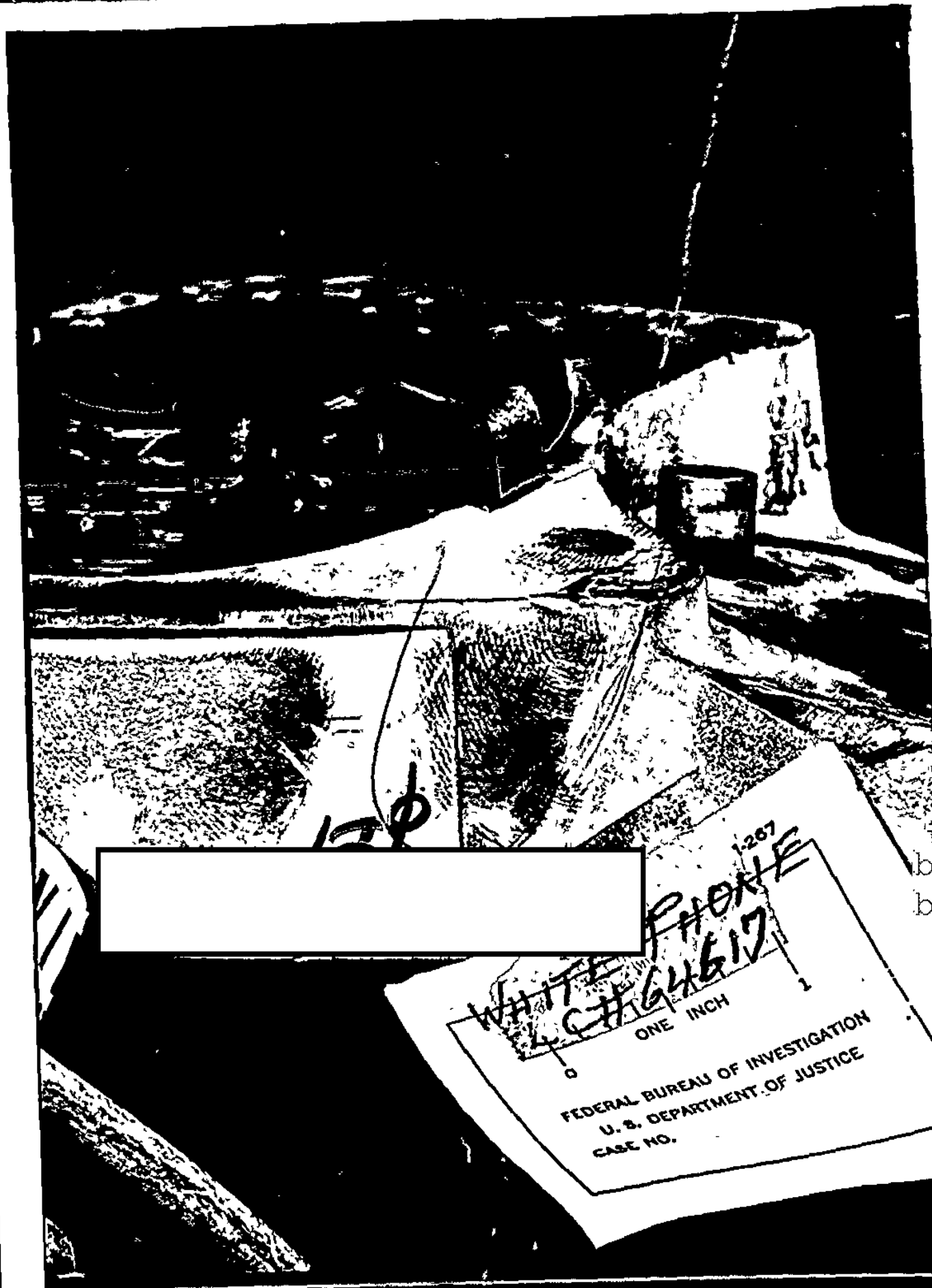
165-1990-11



Black powder

LC 64617

165-1990-11



b6
b7C

black powder

LC 64617

165-1990-11

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VOLKSWAGEN '64, sunroof, very clean, all extras, \$1,399. Call evenings, weekends, all day (212) FL 3-3750

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factory warranty, U.S. Specifications.
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45 Tudor City Place, NYC 10017

VOLKSWAGEN late '64, white, sliding sun roof, very good cond. & maint; orig owner. AS 1358; ext. 9, weekdays. ab

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VW '63 Sedan, green 1,200
VW '65 Deluxe Stat. Wag. blue & white 2,250
VW '64 Panel, dble dr, 2 sides, red 1,150

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CASE NO.
U.S. DEPARTMENT OF IMMIGRATION
FEDERAL BUREAU OF INVESTIGATION

Handwritten notes and stamps, including "SEARCHED", "SERIALIZED", and "INDEXED".

'64 STINGRAY, WHITE, EXTRAS. TA 8-4242

'65 Red Conv, 4 speed, Trans Like new. \$3500. 924-1111

1964 RED SPORTS CAR. Lo Mi. Many Extras. \$1595. IN 1-7279

RVETTE POWERED '66's inner Chev. Rt. 17 Paramus, NJ late Delivery. 201-261-7100

'65 maroon XKE CONV. 4.2 speeds, synchromesh trans & embly, w/wa chrome wire idio. 9000 mi. Asking \$3450. 123-6222 Sun-Thurs 11-11 p.m.

sealt belts, R&H, new motor, good condition. 896-5322.

1965, TR4A, IRS, mag wheels, ras. \$2,800 or best offer. Call

LC 64617

165-1990-11

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b7C

7/80 1/80



1-267

PINK PHONE

LC#64617

ONE INCH

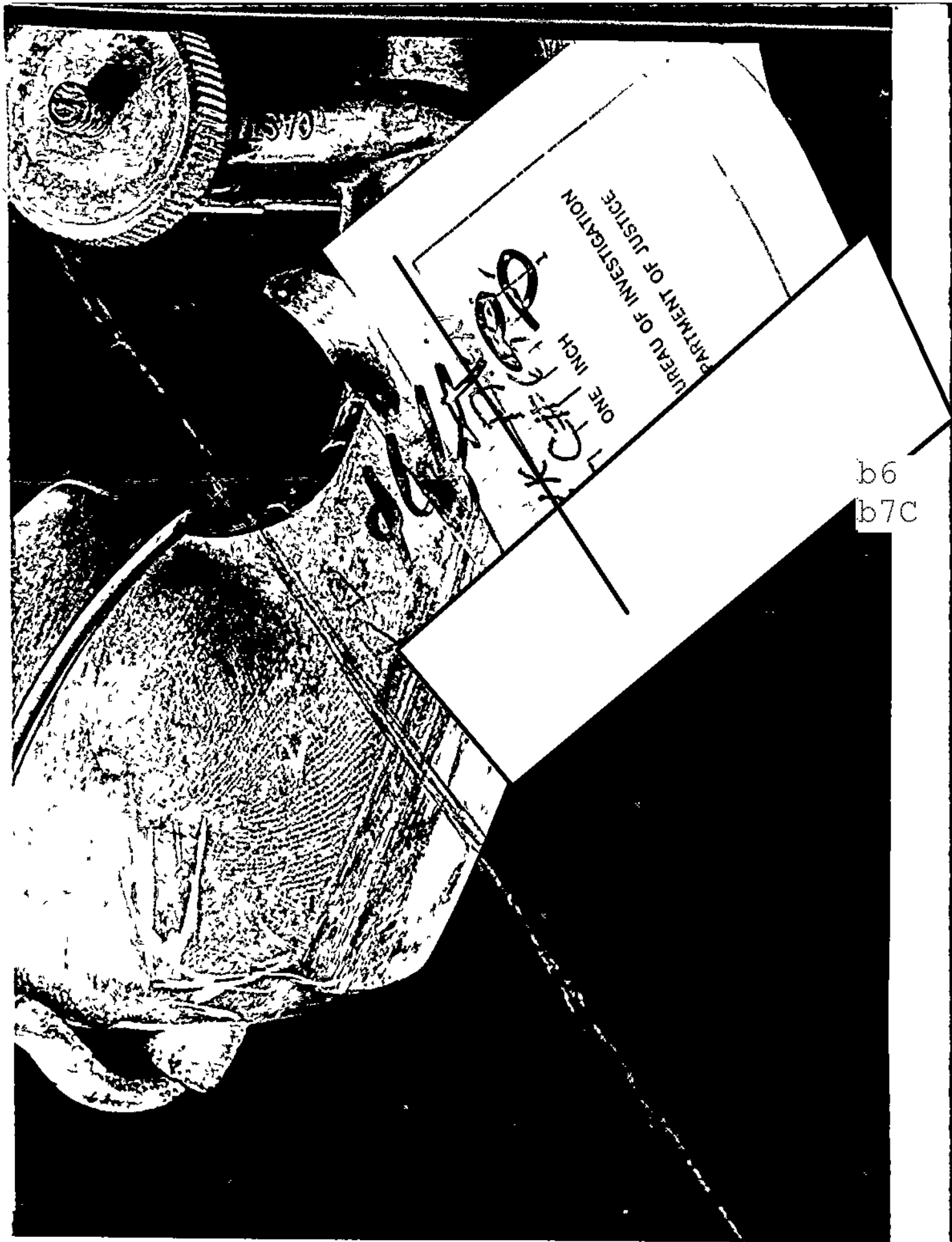
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FEDERAL BUREAU OF INVESTIGATION

Black powder

LC64617

165-1990-11



Black powder

LC 64617

165-1990-11

Commissioner Burns
 nted as a Civil Court
 until that time, Mr.
 now the youngest
 nt head in Mayor
 administration, had
 out Buildings Com-
 that he and Judge
 d received their in-
 n from citizens whom
 ed to identify
 those accused of
 ribes to the housing
 s was Harry J. Sha-
 reputedly one of the
 ggest slumlords and a
 re in a 1958 investiga-

comes as a surprise
 to me that we had to do something
 Under the Medicare law, some 19 million Americans
 aged 65 and over will be eligible for payments covering a
 substantial part of hospital costs, beginning July 1, 1966.
 About 17 million of them, however, are covered under
 Social Security, railroad retirement or civil service pro-
 grams. Benefits for the remaining 2 million will
 be financed from general Treasury funds. It is in this
 group that must sign an application.
 "In connection with my application for
 insurance entitlement, I certify that I
 the last 12 months have not been a member of
 organization which is required by the
 Internal Security Act of 1950, as amended, as a
 communist-action organization, a communist-infiltrated orga-
 nization, or a communist-infiltrated organization.
 More on NON-RED PLEDGE

A Breathless Brigitte

by Dick Schaap

... Columnist

Pa., a passenger aboard the
 Air France jet that carried

DEPT. OF JUSTICE
 BUREAU OF INVESTIGATION
 ONE INCH
 FRONT TRIBUNE
 #61617
 #11617
 H.C.

- incl. notes on subject.

N.Y. Herald Tribune

LC 64617

165-1990-11

black powder

LC 64617

165-1990-11

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO.

ONE INCH

FRONT PAGE
HERALD TRIBUNE
LC# 64617

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b7C

sil. metr

LC 64617

105-1990-11

SAC, MIAMI (165-592)

January 12, 1966

Director, FBI

165-1990-

and

KENNETH HERBERT HANNA, aka
ITAR; ITWI; FBW

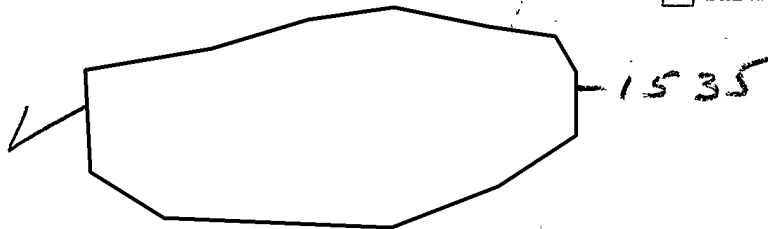
Reference is made to your communication dated 1/10/66 transmitting
☐ negative(s) ☒ film ☐ photograph(s) ☐ document(s) ☐
 pertaining to the above-captioned matter.

In accordance with your request, ☒ film has been developed

- ☐ enlargement(s) made
- ☐ positive copy made
- ☐ print(s) made
- ☐ slide(s) made
- ☐ negative(s) made
- ☐ Photostats made

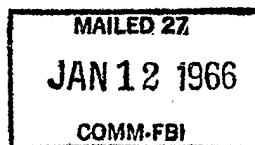
The above is ☒ attached

☐ being sent under separate cover, via ☐ registered mail
☐ REA Express



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Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____



Enc

50 JAN 20 1966

(4) MAIL ROOM ☒ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI
Attention: FBI Laboratory - Mechanical Section

FROM : *[Signature]*
SAC, Miami (165-592)(P)

SUBJECT: ⁽⁷⁾ KENNETH HERBERT HANNA, aka
ITAR; ITWI; FBW *al S*

Enclosed herewith is one 100 ft. roll of Kodak Tri-X
16 mm movie film which has been exposed and is undeveloped.

The Laboratory is requested to process this film
suitable for projection.

Handle as evidence. **ENCLOSURE** - Det. & Ret. to
Miami
1/12/66 jlc

3 - Bureau (Enc. 1) (RM)
1 - Miami
WFH:amc
(4)

*ack Mech Sect 165-1990-
Film dev.
1/12/66 jlc*

RECEIVED	<i>[initials]</i>
DEVELOPED	<i>[initials]</i>
PRINTED	<i>[initials]</i>
ENLARGEMENTS	<i>[initials]</i>
COPIED	<i>[initials]</i>
INSPECTED	<i>[initials]</i>

NOT RECORDED
16 JAN 11 1966

[initials]
RECEIVED
1/12/66 jlc
INDEX
4535

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MIAMI	OFFICE OF ORIGIN MIAMI	DATE 1/13/66	INVESTIGATIVE PERIOD 12/1/65 - 1/10/66
TITLE OF CASE CHANGED KENNETH HERBERT HANNA, aka Ken Hanna, Jap, Curly <i>P Hanna</i>		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 1.2em;"></div>	b6 b7C TYPED BY sl
		CHARACTER OF CASE ITAR; ITWI; FBW	

Title is marked Changed to reflect the addition of the alias "CURLY" by which the subject is known among various gamblers.

REFERENCES

Report of SA dated 11/9/65 at Miami captioned KENNETH HERBERT HANNA, aka, IGA.
Miami airtel to Director 12/27/65.
Miami teletype to Director 1/8/66 captioned aka, AR; IGA;
KENNETH HERBERT HANNA, aka, ITAR; ITWI; FBW.

b6
b7C

- P -

Case pending over 1 year: yes ☐ no ☒Prosecution pending: yes ☐ no ☒

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 3 - Bureau (165-1990)
1 - USA, Miami - Att: Departmental Attys.
BRIAN GETTINGS and WALLACE JOHNSON

Copies Cover Page B

- 6 - Miami (4 - 165-592)
(1 - 162-341) (KENNETH HANNA)
(1 - 92-353)

3 JAN 17 1966

REC- 61

ST-105

b6
b7C

Dissemination Record of Attached Report

Notations

Agency	2000	ATL	Chris 1965
Request Recd.			
Date Fwd.	1/25/66		
How Fwd.	o.g.	1/14	
By	1655		

NITE
STAT SECT.

57 FEB 4 1966

MM 165-592

2 - Albany
2 - Atlanta
2 - Baltimore
2 - Dallas
2 - Detroit
2 - Jackson
2 - New Orleans
4 - New York
 (2 - 165-NAT MODELL)
4 - Newark
2 - Oklahoma City
1 - Philadelphia (165-698) (Info)

LEADS

The following leads set forth in this report were set forth in referenced Miami airtel dated 12/27/65.

Each office receiving copies of this report is requested to conduct the following investigation and to furnish the results of this information to Miami on 25 copies of multilith inserts or FD 302s suitable for inclusion in a 165 report. Administrative data should be forwarded on the accompanying airtel. It is recognized that some of the information requested herein concerning the subscribers to the telephone numbers may have been previously submitted to Miami in other cases. However, it is requested that this information be forwarded as per above and in order that the preparation of the next report in instant case can be expedited in the Miami Division.

The telephone numbers set forth in these leads should be checked against the list of telephone numbers appearing with names and code numbers which was seized in

MM 165-592

the search of HANNA's apartment and which is included in the body of this report.

ALBANY

AT SCHENECTADY, NEW YORK

ATLANTA

AT CONYERS, GEORGIA

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b7C

BALTIMORE

AT BALTIMORE, MARYLAND

DALLAS

AT FORT WORTH, TEXAS

DETROIT

AT DETROIT, MICHIGAN

MM 165-592

JACKSON

AT BILOXI, MISSISSIPPI

A rectangular box with a black border, used for redaction.

NEW ORLEANS

AT NEW ORLEANS, LOUISIANA

b6
b7C


A rectangular box with a black border, used for redaction.

NEW YORK

AT NEW YORK CITY, NEW YORK

A rectangular box with a black border, used for redaction.

AT QUEENS, NEW YORK

A rectangular box with a black border, used for redaction.

NEWARK

AT CLIFFSIDE PARK, NEW JERSEY

A rectangular box with a black border, used for redaction.

AT FRANKLIN PARK, NEW JERSEY

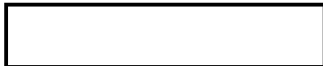
A rectangular box with a black border, used for redaction.

MM 165-592

AT JERSEY CITY, NEW JERSEY

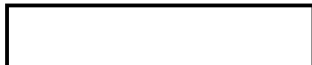


AT LINDEN, NEW JERSEY



b6
b7C

AT SEASIDE PARK, NEW JERSEY



AT UNION CITY, NEW JERSEY



OKLAHOMA CITY

AT TULSA, OKLAHOMA



E
COVER PAGE

MM 165-592

MIAMI

AT MIAMI, FLORIDA

1. Will obtain from [redacted]
[redacted] copies of [redacted]

b3 FRCP Rule 6(e)

2. Will coordinate with officials of Southern Bell Telephone and Telegraph Company a test of the "Blue Box" obtained in the search of HANNA's apartment to confirm that this equipment will actually bypass the billing apparatus of the telephone company and allow long distance telephone calls to be made without a resulting toll charge.

3. Will review the tapes and print-outs with officials of the telephone company to definitely establish the amount of money the telephone company was defrauded.

4. Will make additional review of the evidence obtained from the Grand Jury in Philadelphia and also the evidence seized pursuant to the search warrant and set forth appropriate leads.

5. Will follow the prosecutive action in this case.

ADMINISTRATIVE

The Miami Division has a previous investigation in progress concerning KENNETH HERBERT HANNA and this investigation was carried under the caption KENNETH HERBERT HANNA, aka, IGA, Miami File 162-341.

MM 165-592

Additional copies of this report are being forwarded to New York for inclusion in their file on NAT MODELL.

Additional copies are also being forwarded to Newark in view of the investigation by that Division of several individuals connected with HANNA.

One copy of this report is being forwarded as information to the Philadelphia Division where the original evidence was subpoenaed.

Miami Office is making an additional copy of this report to have it available in the event the further examination of evidence requires investigation in field divisions not yet involved.

G*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - United States Attorney, Miami, Florida
Attention: Departmental Attorneys
BRIAN GETTINGS and WALLACE JOHNSON

Copy to:

Report of:
Date:

[REDACTED]
1/13/66

b6
b7C

Office: Miami, Florida

Field Office File #: 165-592

Bureau File #: 165-1990

Title: KENNETH HERBERT HANNA

Character: INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis:

b3 FRCP Rule 6(e)

In response to a subpoena, [REDACTED]

[REDACTED] were produced before US Grand Jury, Philadelphia, 12/22/65. Court Order issued USDC, Eastern District of Pa., 1/6/66, to allow disclosure of records and tapes. This material pertained to [REDACTED]

[REDACTED] electronic device commonly referred to by telephone company as "Blue Box." This device permits long distance telephone calls to be made without the calling party being billed. Examination of evidence from Grand Jury [REDACTED]

[REDACTED] Authorized complaint filed 1/7/66 before USC, Miami, charging subject with violation of Sections 1084, 1343 and 1952, Title 18, USC. Affidavits furnished and search warrant was obtained 1/7/66 for HANNA's residence, Apartment 2, 2290 Northeast 170th Street, North Miami Beach, Fla. HANNA arrested 1/8/66 at Apartment 2 by Bureau Agents after front door smashed to gain access. Search warrant executed 1/8/66 after arrest. Seized, pursuant to search warrant, among other items, were "Blue Box" and list of telephone numbers with accompanying nicknames and code numbers. HANNA arraigned USC, Miami, 1/10/66 and bond continued at \$5,000. Preliminary hearing set by USC for 1/20/66.

- P -

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	Receipt of records by SA [redacted] at Miami 6
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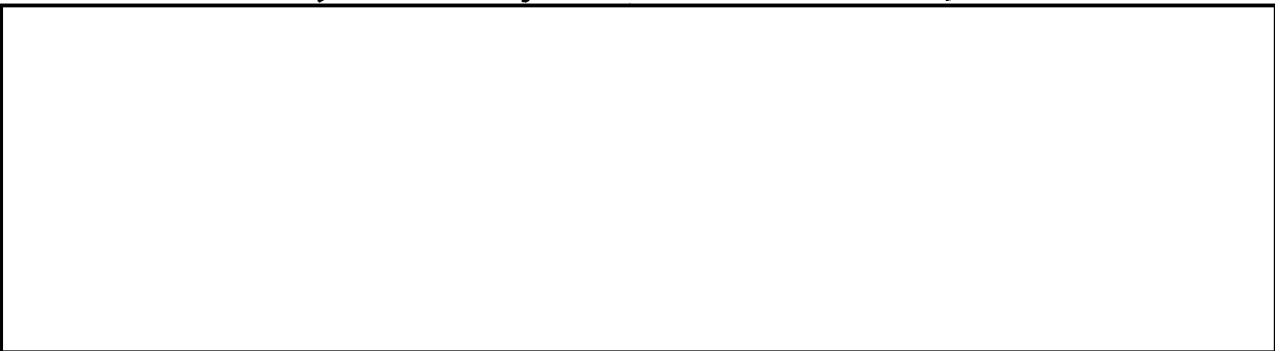
MM 165-592

b3 FRCP Rule 6(e)
b6
b7C

DETAILS

A subpoena was issued on December 22, 1965 by the United States District Court, Eastern District of Pennsylvania, commanding [redacted]

[redacted] to appear before the Grand Jury in Philadelphia, on the 22nd day of December 1965, to testify before the Grand Jury and to bring



By memorandum dated December 22, 1965, HAROLD S. O'BRIAN, JR., Assistant United States Attorney, Eastern District of Pennsylvania, advised that on December 22, 1965,

[redacted]
[redacted] appeared before the Federal Grand Jury for the Eastern District of Pennsylvania and produced certain records [redacted] advised that these records were thereafter delivered by him personally to Special Agent [redacted] of the Federal Bureau of Investigation on December 22, 1965 after their introduction to the Grand Jury, pursuant to the procedure previously established by the Grand Jury for the examination of records.

b3 FRCP Rule 6(e)
b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 12/22/65b3 FRCP Rule 6(e)
b6
b7C1

[redacted]
[redacted] advised that on December 22, 1965, he presented to Federal Grand Jury at Philadelphia, Pa., [redacted]
[redacted]

[redacted] further advised that [redacted]
[redacted] investigation has tentatively identified the subject of this case as KENNETH HANNA, and that their investigation concerns the use of a "blue box" operation on Miami telephone lines 945-9723 and 945-9655, and that these lines are presently located at 2290 Northwest 170th Street, Apartment 2, Miami, Florida.

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b7C
b3 FCRP Rule 6(e)

[redacted] stated that a "blue box" operation is one where electronic equipment is placed on telephone lines at the originating unit in order to prevent billings being made on long distance calls placed.

b6
b7C
b3 FCRP Rule 6(e)

4

On 12/22/65 at Philadelphia, Pa. File # Philadelphia 92-663
Miami, 165-592
by SA [redacted] :mbr/dk Date dictated 12/22/65

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 12/22/651

HAROLD S. O'BRIAN, JR., Assistant U. S. Attorney,
Eastern District of Pennsylvania, furnished to SA [redacted]
[redacted] on December 22, 1965, one cardboard box containing
the following items:

b6
b7C

- (1)
- (2)
- (3)
- (4)

b3 FCRP Rule 6(e)

The above items were marked for identification and
sealed by SA [redacted]

b6
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5

On 12/22/65 at Philadelphia, Pa. File # Philadelphia 92-663
Miami 165-592
by SA [redacted] ;mbr/dk Date dictated 12/22/65

FEDERAL BUREAU OF INVESTIGATION

Date 12/30/651b6
b7C

On this date, Special Agent received a cardboard box at the Miami Office of the Federal Bureau of Investigation which contained the following items:

1.

2.

3.

4.

b3 FCRP Rule 6(e)

The above items were initialed and dated by
Special Agent

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b7C

6

On 12/24/65 at Miami, Florida File # Miami 165-592

by SA s1 Date dictated 12/28/65

MM 165-592

The following Motion for Disclosure of Grand Jury Records was filed in the United States District Court for the Eastern District of Pennsylvania:

"AND NOW COMES Drew J. T. O'Keefe, United States Attorney for the Eastern District of Pennsylvania, and J. Shane Creamer, First Assistant United States Attorney for said District, and respectfully represent:

b3 FCRP Rule 6(e)
b6
b7C

1. On Wednesday, December 22, 1965, certain

[redacted] were subpoenaed for presentation before Your Honor's Grand Jury.

2. On December 22, 1965, [redacted]

[redacted] presented certain telephone records before Your Honor's Grand Jury.

3. The Grand Jury subpoena requested from the

[redacted]

4. Pursuant to this subpoena, [redacted] presented before the Grand Jury [redacted]

[redacted]

5. The United States Department of Justice is currently investigating the use of unlawful electronic devices in the area of Miami, Florida, and in order to complete this investigation and to make proper arrests and

MM 165-592

searches it is necessary that some of the above-described material subpoenaed from [redacted]

[redacted] be disclosed in order to prepare and execute appropriate affidavits for arrest and search warrants.

"WHEREFORE, it is respectfully requested that the United States Department of Justice be permitted to disclose these Grand Jury records for the purpose of preparing arrest and search warrants in the above-entitled investigation.

"Respectfully submitted,

DREW J. T. O'KEEFE
United States Attorney b3 FCRP Rule 6(e)

J. SHANE CREAMER
First Assistant U. S. Attorney"

As a result of the above motion, the following Court Order was issued:

"AND NOW, to wit: this 6th day of January 1966, it is hereby

ORDERED, ADJUDGED AND DECREED

that [redacted] subpoenaed by Grand Jury subpoena dated December 22, 1965 directed to [redacted] may be disclosed pursuant to Rule 6(e) of the Federal Rules of Criminal Procedure for the purpose of preparing and executing arrest and search warrants

MM 165-592

as outlined in the within motion of Drew J. T. O'Keefe,
United States Attorney.

"BY THE COURT:

/s/ A. Leon Higginbotham, Jr."
J.

FEDERAL BUREAU OF INVESTIGATION

Date 1/4/66

[redacted] advised that [redacted] personnel in New York City contacted him on November 23, 1965, and advised that they had discovered a "blue box" possibly operating in Miami, on telephone numbers [redacted] and [redacted] that through investigation he determined that telephone number [redacted] was subscribed to by [redacted] and telephone number [redacted] was subscribed to by [redacted]. [redacted] advised that inasmuch as these individuals were not known to him to have any connection with gambling operations, he did not pursue his investigation any further on November 23, 1965, bearing in mind that the [redacted] personnel may have been in error, in their observations.

b6
b7C

On November 24, 1965, [redacted] personnel in New York called [redacted] and advised him that they had "more firm" information, and that the "blue box" was probably operating from Miami telephone 945-9723, subscribed to by KENNETH HANNA at 16790 Northeast 18th Avenue, Apartment 9. [redacted] advised that in checking HANNA's telephone bill for the preceding month, he determined that the tolls charged against this bill were only \$5.00 and some odd cents. He thereafter immediately contacted [redacted] and instructed [redacted] to place a portable "blue box" detection unit on HANNA's telephone line, 945-9723.

b6
b7C

[redacted] explained that a "blue box" is an electronic device that can be used for avoiding paying toll charges. He added that the first such device found and examined by officials of the telephone company was en-

b6
b7C

10

On 12/30/65 at Miami, Florida File # Miami 165-592by SA [redacted] /dk Date dictated 1/3/66b6
b7C

MM 165-592

2

closed in a blue box, and that thereafter these devices of this particular nature have been referred to by telephone company personnel as "blue boxes".

[redacted] explained that approximately two years ago he was instructed in the principals of how a "blue box" operates, and the manner in which long distance toll charges are avoided when it is use. According to [redacted] knowledge, the "blue box" is a sophisticated electronic instrument which can be attached to the telephone or telephone line by a telephone subscriber and enable the subscriber to call anywhere he might desire, utilizing the telephone long distance network without being billed for the call. The "blue box" consists of equipment which produces tones duplicating the long distance sending equipment utilized by the telephone company in ordinary conduct of telephone business. To utilize this tone sending equipment, it is necessary, however, to get access to the toll network before these tones will be acted upon by the long distance switching equipment. Ordinarily the person desiring to use a "blue box" will gain access to the toll network by dialing a free telephone call, using his regular telephone. Such free calls could be to "Universal Information" (555 and four additional digits) for distant cities, or a call to a number in a distant city which is a non-working number, and is on "intercept". Access to the toll network can be gained by dialing a working number in a distant city.

b6
b7C

After gaining access to the toll network by one of the above methods, the "blue box" is then employed, and tones are emitted from the "blue box", which the network interprets as being a normal ordinary long distance telephone call. The call can be completed and conversation carried on in an ordinary manner, however, the telephone company billing equipment recognizes only the free call by which the person gained access to the network, and therefore, when the telephone company bill is issued, there is no charge or billable record made for the telephone company.

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3

[redacted] advised that [redacted] informed him on December 25, 1965, that all indications were that there was a "blue box" in operation at telephone number 945-9723.

b6
b7C

[redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66b3 FRCP Rule 6(e)
b6
b7C1

[redacted]
[redacted] made available to Special Agent [redacted]
the automatic message accounting print-outs for telephone
numbers 945-9723 and 945-9655 for the period of December 17
through December 21, 1965. These print-outs were not
available to [redacted]
[redacted]

The above described print-outs were initialed and
dated December 30, 1965 by Special Agent [redacted]

b6
b7C

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On 12/30/65 at Miami, Florida File # Miami 165-592

by SA [redacted] s1 [redacted] Date dictated 1/3/66

b6
b7C

MM 165-592

An examination of the evidence received from Philadelphia included among other things the notes of [redacted] a telephone company employee who assisted in the investigation conducted by the telephone company. Among these notes was a list of the telephone numbers pulsed from Miami telephone number 945-9723 in the period November 24 through December 21, 1965. A Xerox copy of this list follows this page in this report.

b6
b7C

An examination of the magnetic recording tapes included in the evidence was made by Special Agents [redacted] on January 5 and 6, 1966. Some of the telephone calls, that is the conversation, are also set forth hereafter along with the interview of [redacted] telephone company employee, as to the origin of each call.

b6
b7C

Numbers in - pulled from Miami 945-9723

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66b6
b7C

[redacted]
[redacted]
[redacted] residence [redacted] telephone number
[redacted] advised that on November 24, 1965, he, on the instructions
of [redacted]
[redacted], placed a portable "blue box" detection unit on the
telephone circuit for Miami telephone number 945-9723.

b6
b7C

[redacted] advised that this unit was operated on this
circuit intermittently from November 24 to December 21, 1965.

[redacted] stated that he maintained notes on the
operation of the unit as to dates and times that the unit was
actually in operation.

b6
b7Cb6
b7C
b7Db6
b7C
b7Db6
b7C
b7Db6
b7C
b7D

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and [redacted] jgm Date dictated 1/6/66

b6
b7C

MH 165-592

2.



b6
b7D

On January 5, 1966, SA [redacted] and SA [redacted] selected 12 calls on the magnetic recording tapes. These calls were located by [redacted] and he placed white identification tape immediately preceding each of the calls and also immediately following each of the calls. [redacted] numbered the beginning of the call #1 and the end #1A; the second call #2 and #2A, etc.

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

[redacted]
[redacted]
Miami, Florida, examined magnetic tape 3A, side 1, at approximate footage of 056. He identified the beginning of a call on this tape with white tape #1 and the end of the call as #1A. He stated he can testify that this call was made from Miami telephone number 945-9723, to telephone number [redacted]

b6
b7C

[redacted] advised that on this particular call he was in the process of adjusting the volume levels of his recorder at the time the call occurred. He stated he therefore knows that this telephone call was completed at 6:21 PM on the evening of December 16, 1965, and that he actually heard an individual answer this call and that this individual was referred to as [redacted]

b6
b7C

On January 5, 1966, [redacted] also examined [redacted] automatic message accounting print-outs made for telephone number 945-9723. He stated that from this print-out he can testify that a telephone call was completed from Miami telephone number 945-9723 at 6:21 PM, December 16, 1965, that the individual talked for at least four minutes, and that the telephone number 945-9723 would not be billed for this telephone call, inasmuch as the automatic message tape print-out reflects this call to the Universal Information Operator. [redacted] noted that entry on the automatic message accounting print-out as #1 and initialed same.

b6
b7C

20.

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and [redacted] Date dictated 1/6/66
SA [redacted] jga/plm

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 3A between identification marks #1 and #1A and noted that the following conversation took place:

b6
b7C

"UM Hello

KEN Hello, is [redacted] there?

UM Yes sir, just one moment.

[redacted] Yeah KEN

b6
b7C

KEN What do you know?

[redacted]
KEN I was gonna call you this morning and I forgot it.[redacted]
KEN I know[redacted]
KEN Yeah[redacted]
KEN Yeah.

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On 1/5&6/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7C

MM 165-592

2.

"KEN Yeah

[Redacted]

KEN

O.K.

b6
b7C

[Redacted]

Goodnight (Call is terminated)

FEDERAL BUREAU OF INVESTIGATION

net

Date 1/7/66b6
b7C

[redacted]
Miami, Florida, examined magnetic tape 3A, approximate footage 80 feet and marked the beginning of the telephone call there as #2 and the end as #2A. [redacted] stated that the multi-frequency pulsing at the beginning of this call represents the telephone number [redacted]. He stated further that he can testify that this telephone call originated at Miami telephone number 945-9723.

[redacted] advised that on the occasion of this telephone call he was in the process of adjusting the volume level of the tape recorder and that he specifically knows from his personal observation that this call occurred at 6:28 PM on December 16, 1965. He stated he can also verify that a telephone conversation was carried on with an individual named [redacted] at telephone number [redacted].

b6
b7C

[redacted] examined the [redacted] automatic message accounting (AMA) print-out for December 16, 1965, which print-out relates in part to telephone number 945-9723. [redacted] advised that the telephone call which he heard and described above appears on this print-out indicating that the call was completed from number 945-9723 in Miami and that the individual talked at least three minutes. [redacted] stated that based on the above entry in the AMA print-out, he can testify that telephone (#945-9723) will not be billed for this call inasmuch as the print-out reflects it to have been directed to the Universal Information Operator.

b6
b7C

[redacted] made the notation call #2 along with his initials opposite this entry on the AMA print-out.

b6
b7C

23

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 3A between identification marks #2 and #2A and noted that the following conversation took place:

b6
b7C

"UN Salsbury Terrace

KEN 507?

UN Got another wire, will you hold?

KEN Yes sir.

NAT Hello

KEN Hello, NAT.

NAT Yeah, how are you KEN?

KEN What do you know?

NAT Nothing much.

KEN I just called you today. I was busy yesterday and I didn't call you today. You got the figures there?

NAT Yeah, you want them?

KEN Yeah

NAT Ah - Houston eight

KEN Eight, yeah?

NAT You don't need that. NYU one.

KEN NYU - (tape cuts off)"

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

[redacted]

Miami, Florida, examined magnetic tape 3A at approximate footage of 245. He identified the beginning of a telephone call on this tape with white tape #3 and the end of the call with white tape #3A. [redacted] stated he can testify that this call was made from Miami telephone number 945-9723 to telephone number [redacted] [redacted] sometime between the period of 6:00 PM on December 16, 1965, and 9:55 AM, December 17, 1965.

b6
b7C

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On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] jgm Date dictated 1/6/66

b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

On January 5 & 6, 1966, SA [] and SA [] listened to the magnetic tape on reel 3A between identification marks #3 and #3A and noted that the following conversation took place:

b6
b7C

[] Hello

KEN Hello, []

[] Yeah

KEN How are you buddy?

[]

b6
b7C

KEN Not much.

[]

KEN Oh, (tape interrupted) down there?

[] Yeah

KEN Conspiring with me?

[]

KEN Well, what the hell, they know they ain't gonna get nothing from me.

[]

KEN Yeah, in other words they took it off your telephone.

[]

KEN They took it off your telephone. Yeah

26

On 1/5&6/66 at Miami, Florida File # Miami 165-592
by SA [] and SA [] jgm Date dictated 1/6/66
SA [] b6
SA [] b7C

MM 165-592

2.

[REDACTED]

KEN That's right.

[REDACTED]

Yeah

b6
b7C

KEN That's right.

[REDACTED]

KEN That's right, you called me about - and I spoke to ah (tape cuts off) ... Couple of bets, he had ten different guys they named.

[REDACTED]

Yeah

KEN Legitimate guys he told me.

[REDACTED]

Uh-huh

KEN Now he had out a sheet of paper - nothing that he had ever bet, but on this sheet of paper he had written like where he had bet somebody like ah - a nickle on a football game or a baseball game in the summertime. And the paper had laid there and he had written it and the other paper he had destroyed, but you could see the indentation and from that - through the indentation that they brought it out something. (tape cuts out briefly) ... Know that until this morning about his other thing.

[REDACTED]

Uh-huh

NH 165-592

3.

"KEN

Not once did he come to the machines.
He just sat there. Now - ah so I said to
[] I said when you see - when you got
to the machines, I said, and bet on this
horse, I said, you just turn around and
take a peek at the guy - I said. The guy
is not making a move but I'll tell you -
if, if - I was (tape cuts off abruptly)"

b6
b7C

28

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

[redacted]
[redacted]
Miami, Florida, examined magnetic tape 3A, footage approximately 298. He identified the beginning of a telephone call at that location with white tape #4 and he also identified the end of this telephone call with white tape #4A.

b6
b7C

[redacted] stated that this telephone call occurred after 9:55 AM on December 17, 1965, and prior to 11:00 AM on December 18, 1965. He stated he can testify that this telephone call was made from Miami telephone 945-9723 to telephone [redacted]. He added that he is able to provide the number called through his translation of the multi-frequency tones.

b6
b7C

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On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Date dictated 1/6/66
Jgm

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FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

On January 5 & 6, 1966, SA [] and SA [] listened to the magnetic tape on reel 3A between identification marks #4 and #4A and noted that the following conversation took place:

b6
b7C

"KEN

Hello, []

[] Yeah

b6
b7C

KEN

Are you all set?

[] Yeah

KEN

Listen, tell [] that I talked with that [] you know. They named the - indictment with [] ...

[] ... inaudible remark

KEN

Yeah, said he was calling across the state line and calling me. Christ sake, the guy never bet me in his life. He calls [] well he called down here a few times but he never bet us, you know. He gave [] a few pieces or something - or, or - when he was here he called and gave me some business that he charged (tape cuts off briefly)... He and the Bill of Particulars up there. He must have called from his house.

KEN

In the Bill Particulars on his, on his indictment.

KEN

What, yeah.

30

On 1/5/66 at Miami, Florida File # Miami 165-592

by SA [] and SA [] Jgm Date dictated 1/6/66

b6
b7C

MM 165-592
2.

"KEN

No, he didn't do it - the Government.

[redacted]

Oh

KEN

So you tell [redacted] if you get the chance, to give me a ring tonight.

[redacted]

O.K.

KEN

They didn't mention his name but they named me.

[redacted]

... inaudible remark ...

KEN

Southern Cal five

b6
b7C

[redacted]

Southern Cal five

KEN

UCLA seven

[redacted]

(repeats this)

KEN

Washington State seven

[redacted]

(repeats this)

KEN

Brigham Young eight

[redacted]

(repeats this)

KEN

Rhode Island eleven, Wake Forrest nine, Richmond twelve in the circle, Georgetown seven, Cornell twelve, Colorado seven, Arizona State twelve, Indiana pick, Kentucky seventeen, West Virginia one, Wisconsin five, SMU pick, Vanderbilt... (tape cuts off momentarily)... he called ten or fifteen times about these jukeboxes going into Philadelphia, he called me first, then I called him well I said, it's got, it's got the boxes have gotta be-

[redacted]

"KEN

I said the boxes gotta be be-ah, be ah,
I said you can't get Jersey because their
guy by the name [redacted] got Jersey.
Now I said we can have all of Pennsylvania,
either the eastern or the western part. So
[redacted] says alright, we'll take Philadelphia,
take the eastern part, I said that's alright.

[redacted] (unintelligible) ... [redacted]

KEN

Yeah, these colored pictures you know. They
have a picture on top and shows these French
girls dancing and all that stuff.

b6
b7c

KEN

Well, anyway, it was a new jukebox, new thing
come out.

[redacted] Yeah.

KEN

So now a guy named [redacted] had the ex on them
coming in from France. They were import -
they were made in France.

KEN

Now eh - and they were laying on the dock in
New York. Well, he had to pick them up so we
talked back and forth about money, about finances
and finally [redacted] says, look he says, it's no
good in Philadelphia because the bars close at
twelve O'clock.

[redacted] (unintelligible) ... [redacted]

KEN

Yeah, and then said, eh he said, eh - you'd
have to get into these after hour clubs and
they are all tied up with the racket guys.

MM 165-592

4.

"KEN

And he said he wouldn't git in, so he said, so he said, we're better off forgetting about it. So then I just let it go and I never thought anything more about it and he call me this morning and he told me about the indictment and in the indictment was my name. He said and he called me. Of course they took his phone bill and they ran his phone bill down and checked me out down here. (tape cuts off momentarily) ... jukeboxes, listen to a (obscene) thing like this and the bill was on his phone where he called me. They indicted him and they named me in the (obscene) indictment.

[REDACTED]

KEN

Well, what can I do.

[REDACTED]

KEN

Yeah, but what the hell, it was a legitimate thing he called me about, so he didn't figure it was nothing. He called me about a juke box proposition, so what the (obscene) you know I aint gonna call nobody from my place.

b6
b7C

[REDACTED]

KEN

Someone at my door.

[REDACTED]

KEN

Alright

[REDACTED] O.K. (call is terminated)

FEDERAL BUREAU OF INVESTIGATION

1/7/66

Date

[redacted] Miami, Florida, examined magnetic tape 3A, side 2, footage approximately 15. He identified the beginning of a call at this location on the tape with white tape #5 and the end of the call as #5A. [redacted] advised that he can state that this call was made from Miami telephone 945-9723 to Detroit telephone number [redacted] related that in this particular call the area code 313 is not included in the multi-frequency tones, however, based on his evaluation of the calls during the period November 24, 1965 - December 21, 1965, he can state that this number was a Detroit number.

b6
b7C

[redacted] advised that this call was made after 11:22 AM on December 18, 1965 and that the automatic message accounting print-out for that date reflects a call at 11:29 AM on December 18, 1965 to the Universal Information Operator in Detroit, area code 313, and that this call lasted three minutes. [redacted] stated that the "ANS" column reflects "#1" for this entry indicating that the call was completed.

b6
b7C

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On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 3A between identification marks #5 and #5A and noted that the following conversation took place:

b6
b7C

"KEN Is [redacted] there?

"Unsub Yeah, hang on.

b6
b7C

[redacted] Hello

KEN

Hello, [redacted]

[redacted] (who is apparently known as [redacted] Yeah

KEN

How are you, buddy?

KEN

I - well, listen, did they give you any new number?

[redacted] No

KEN

Well, I'm a (obscene). I can't get 'em.

KEN

Oh, you haven't called 'em lately?

KEN

Yeah, well they was supposed to have new numbers and they called the motel where I used to be and the, and the guys says what the hell, he said he aint here, you got his home number and the guy never called me.

[redacted] Oh.

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On 1/5&6/66 Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Jgm
Date dictated 1/6/66

b6
b7C

MM 165-592

2.

"KEN I was wondering, I thought maybe they gave them to you.

[REDACTED]
[REDACTED] (tape machine interrupts)

KEN So what's new? If I can ever get them and find out what happened, you know.

b6
b7C

[REDACTED]
KEN If they didn't give it to you I call you back with it.

[REDACTED]
KEN Yeah, they moved today.

[REDACTED] Oh, oh, oh, oh

KEN I thought they might have given him the number last night or something.

[REDACTED]
KEN Yeak, O.K.

[REDACTED]
KEN O.K."

FEDERAL BUREAU OF INVESTIGATION

Date 1/7/66

[redacted] Miami, Florida, examined magnetic tape 3A, side 2, approximate footage 84. He identified the beginning of a telephone call at this location on tape with a white tape #6 and the end of the call as #6A. [redacted] stated that this telephone call was made from Miami telephone 945-9763 to #212-246-1300; and that the call occurred between 11:22 AM, December 18, 1965 and 11:00 PM, December 19, 1965.

b6
b7C

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On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] JGM Date dictated 1/6/66
b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 3A between identification marks #6 and #6A and noted that the following conversation took place:

b6
b7C

"Operator Hello Salsbury

KEN 507

Operator Thank you

NAT Hello

KEN Yeah, did they call you?

NAT Nope

KEN I, I can't yet. I called [redacted] I called both numbers, I been dialing. I called Detroit to see if they didn't give the numbers to none of my customers

NAT Nobody they didn't call. I waited yesterday, they didn't call me either. I can't understand that.

KEN Well I don't know what the hell ails those people and I spoke with [redacted] last night.

NAT Yeah

KEN He never said a word.

b6
b7C

NAT He never said a word about a change.

KEN Nope

NAT I asked what's his name [redacted] in the afternoon because he said they were going to have another one.

38

1/5&6/66

Miami, Florida

Miami 165-592

On _____ at _____ File # _____

SA [redacted]

and

b6

SA [redacted]

Jgm

b7C

by _____ Date dictated 1/6/66

MM 165-592

2.

"KEN

They're entitled to go back if the number are there and they want to go back. How the hell can guys go back with with games? You know what I mean? That's not the right thing to do.

NAT

That's right. I don't know how they do things. What's the matter with that [redacted]

KEN

I don't know. He called the motel for me down here. If he doesn't know my number so why don't he ask [redacted] for it or ask you or anybody, he calls the motel, he, he - I know what he says. [redacted] says have you got KEN's number and he says yes, he means he had some number at a motel.

b6
b7C

NAT

How do you like that?

KEN

And he called the guy, had the guy in the motel call me and says, JESUS, some guy named [redacted] called you about something, but he said he didn't leave no message, he banked -"

(tape recorder cuts off interrupting conversation)

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

_____ Miami,
Florida, examined magnetic tape 2A, footage approximately 27, and identified the beginning of a telephone call at this location with white tape #7 and the end of the call as #7A.

b6
b7C

_____ stated that this call was made between 10:18 AM on December 2, 1965 and 9:00 AM on December 3, 1965, and was made from Miami telephone 945-9723 to telephone _____. He explained he was able to make this determination of the called number based on the translation of the quality of the multi-frequency tones in this call, along with the comparison of other known numbers pulsed in the course of his investigation.

b6
b7C

40

1/5/66

Miami, Florida

Miami 165-592

On _____ at _____ and _____ File # _____
by SA _____ jgm _____ Date dictated 1/6/66

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape reel 2A between identification marks #7 and #7A and noted that the following conversation took place:

b6
b7C

[redacted] Hello

KEN Hello, [redacted]

[redacted] Yeah

KEN How are you?

[redacted] O.K., KENNY

KEN I didn't hear from that guy, now listen I spoke with [redacted]

[redacted] Yeah

KEN Now I come up with the same figure. I went back through my sheet - of course it doesn't mean nothing to you anyway because I have a bottom with [redacted] you know, and I come up with the same figure as [redacted] --- twentyfive ---

[redacted]

KEN No, twentyfive

[redacted] Yeah

KEN Yeah

[redacted] O.K.

b6
b7C

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1/5&6/66

Miami, Florida

Miami 165-592

On _____ at _____ File # _____

by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7C

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MM 165-592

2.

b6
b7c

"KEN

But he only paid ten and eight though - but ah, but ah, while you had it twenty-four that week I had it twentytwo. Anyway it is charged to me, my money comes out alright so -

[REDACTED]
O.K.

KEN

So make his bottom twentyfive and tell him that there was a mistake somewhere - called him last night - I talked with him a while and he transferred, he's transferred ten to me through somebody down here.

[REDACTED]
KEN

Twentyfive one - whatever it was. Let me see I got it here. Twentyfive one five seven. He - he talked to me for about a half an hour.

[REDACTED]
KEN

No, no [REDACTED] that's how I got your number.

[REDACTED] ... unintelligible
remark ...

KEN

Well, I won't be here all afternoon. I'm going to be out of here. I've been getting a lot of phone calls, mysterious calls - they hang up.

[REDACTED]
KEN

Be alright for [REDACTED]

MM 165-592

3.

[REDACTED]

O.K.

KEN

Then everybody's bottom will be alright then-
now tell 'em [REDACTED] is going to give me a
dime and DAD owes me some money. We'll
try to transfer it around so he can get a
hold of it, you know.

[REDACTED]

Yeah

KEN

And if not I'll fly it up next week.

b6
b7C

[REDACTED]

KEN

Yeah

[REDACTED]

Go ahead

KEN

As for Oklahoma City five, Purdue four"
(call is cut off by recorder)

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

[redacted]
[redacted] Miami, Florida, examined magnetic tape reel 2A, approximate footage 223 and identified the beginning of a telephone call at this location on the tape with white tape #8 and the end of the call #8A. He stated that this call was made from Miami telephone 945-9723 to [redacted] between 9:00 AM on December 3, 1965 and 9:40 AM, December 4, 1965.

b6
b7C

[redacted] stated that his determination of the number called was made through the translation of the multi-frequency tones together with his knowledge of numbers previously pulsed by the calling number.

b6
b7C

44

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] jgm Date dictated 1/6/66

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 2A between identification marks #8 and #8A and noted that the following conversation took place:

b6
b7C

"UNSUB Hello

KEN Hello [redacted]

[redacted] Yes

KEN How are you? KEN

KEN I'll tell you, I've been going to the racetrack

b6
b7C

[redacted] Yeah

KEN And I've been doing a little good out there; I win three days in a row.

KEN Yeah, that's right.

[redacted] (tape cuts off - fluctuates and then HANNA comes in)

KEN Well, they didn't play it that early.

KEN No, there was nothing so I couldn't call you.

45

On 1/5&6/66 at Miami, Florida File # Miami 165-592

by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7C

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MM 165-592
2.

"KEN When I came back they told me they played
it about 2:00 - they play on Georgia.

[REDACTED]

KEN They laid 6 & 6½.

[REDACTED]

KEN It opened 6 down here.

[REDACTED]

KEN Hang on. (Apparently takes call on another
phone) Hello ... (Other party cannot be
heard as this on another line) Yeah. Hang on,
I got the guy [REDACTED] - he's got it. I'm
going to tell him that you ... You're going
to call him when the game breaks ... Yeah,
hang on. (Returns to [REDACTED] Hello. Now, this
guy will call you and he'll say, 'this is 12,
#12 calling for KENNY'.

b6
b7C

[REDACTED]

Yeah.

KEN And he'll bet you the game then and there -
early - whatever it opens, you know.

[REDACTED]

KEN Yeah. Hello!

[REDACTED]

O.K.

KEN

O.K?
Right.

[REDACTED]

KEN

O.K.

[REDACTED]

Yeah.

MM 165-592

S.

"KEN O.K.

Yeah.

KEN Alright, well, for the call I'll lay the 7
for \$2, Georgia.

KEN ... no losers, you got to follow me.

Right.

KEN And if you talk with - does he call you?

KEN Alright, tell him we bet on Georgia and we
laid the 7.

Right

KEN O.K?

O.K.

KEN Alright. (Ter)"

(end of conversation)

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

_____ Miami, Florida, examined magnetic tape 2A, approximate footage 275, and identified at this location the beginning of the telephone call on this tape with white tape #9 and the end of the call as #9A. _____ stated that this telephone call was made from Miami telephone 945-9723 to telephone 212-246-1300, between 9:00 AM on December 3, 1965, and 9:00 AM, December 4, 1965. _____ again advised that the determination of the called number was made by him through a translation of the multi-frequency tones along with his knowledge of the numbers called during the period that the detection unit was in operation.

b6
b7C

48

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA _____ and SA _____ Jgm Date dictated 1/6/66
SA _____ b6
SA _____ b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 5 & 6, 1966, SA [] and SA []
[] listened to the magnetic tape on reel 2A
between identification marks #9 and #9A and noted that the
following conversation took place;

b6
b7c

"Operator Salsbury

KEN Room 507, Mr. MODELL.

KEN I'm betting on San Diego today.

MODELL What?

KEN I laid 7.

MODEL Yeah?

KEN Now, [] wanted a couple of dollars. You
want a dollar?b6
b7c

MODELL Alright.

KEN Alright, I can't get ah - you call [] and
tell him, will you?

MODELL Yeah.

KEN He's got 2 on SANDY (possibly San Diego) -
that's the game this afternoon - that's the one
I'm betting on today - and tomorrow - here's what
I'm doing tomorrow:

MODELL Go ahead.

KEN I'm betting on the Rams.

MODELL Rams, yes.

KEN And I took 3 points.

49

On 1/5&6/66 at Miami, Florida File # Miami 165-592by SA [] and SA [] Jgm Date dictated 1/6/66b6
b7c

NM 165-592

2.

MODELL Yeah.

KEN And I put on Oakland and I laid 8.

MODELL Oakland minus eight - I got it right here.

KEN Well, yeah, what the hell, I got the right number, you know.

MODELL Yeah, I know that.

KEN So, you got a dollar and [redacted] got two, that's \$3 for you up there.

MODELL Right

b6
b7C

KEN Alright?

MODELL Yeah.

KEN A total of 9.

MODELL Where you going to be tomorrow?

KEN I'll probably be home watching the games, you know.

MODELL Yeah, but you don't get nothing on the phones.

KEN No, I ain't going to take no nothing - take nothing - you can call me if you want to - if anything changes I might bet again. (tape cuts off and restarts) ... by last Wed., he said, or something, wasn't it?

MODELL Yeah.

KEN Well, that alright.

MODELL What I wanted to say was, do you do anything with baskets?

50

MM 165-592

3.

"KEN I've been doing something with them, but I had a loser last night, I bet on Georgia.

MODELL Huh?

KEN They - they - what happened to the San Francisco game?

MODELL We didn't get nothing now - I'm first going to get it when I go down and get the scores from him.

KEN Yeah.

MODELL If he knows anything?

KEN I know that they had two losers last night out of three, they bet on 3 games. I forgot what they were, but I only pick-bet on Georgia.

MODELL Yeah.

KEN Like I take a dime on them, now, I can give it off to if I don't want it. If I want it, I keep it.

MODELL Ah - that's pretty good.

KEN You see what I mean?

MODELL Yeah, sure.

KEN I got a good set-up with this thing.

MODELL That's pretty good.

KEN So - so, I mean I wanted you to make a week's pay if you can, I don't know whether we're gonna win or lose, you know.

MODELL Yeah.

b6
b7c

51

"KEN But those are the three games I'm betting on; that's all I'm doing.

MODELL Ah - I'm going to find out today how much that guy will take with baskets to see if I can do anything or not.

KEN Yeah, what are the Bears anyway?

MODELL Huh?

KEN Baltimore?

MODELL $3\frac{1}{2}$

KEN They're betting on the Bears, you know.

MODELL Yeah.

KEN But I don't know, that's going to be a rough and tough game buddy.

MODELL Oh boy, and how.

KEN I don't think I am going to stick my nose into that one.

MODELL Don't pay. Nothing with the colleges today, huh?

KEN No, they bet on Penn. State, they laid 6, but I don't know where the hell I could lay the 6.

MODELL Yeah.

KEN If you - they might lay the $6\frac{1}{2}$, but, the game opened up 5, though. (tape interrupts) ... When he was here last week he had me put him down for \$2 on three games. We had -

MODELL He could have called me up and gave them to you.

KEN He never called you did he?

MODELL Not yet.

52

MM 165-592

5.

"KEN Well, I thought he was going to call you,
you know, you ask -

MODELL ... called me, but he just gave me - he
didn't say nothing to me.

KEN I owe him \$180.

MODELL I told him - I says, 'KEN gave me some bets',
he said 'Yes, I won a couple of dollars, but
whenever I get anything I give him half'.

KEN Yeah, well, he ask me - he says, 'put me down
for \$2 this week'. So, I figure, well, alright
So that's why I called you so as to let you
know - to hell with calling him!

MODELL Yeah, O.K. So this way you can tell him -
then if, you know - "

(tape cuts off terminating call)

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

[redacted]
[redacted] Miami, Florida, examined magnetic tape 2A, approximate footage 641. He identified the beginning of a telephone call at that location on the tape with white tape #10 and the end of the call as #10A. [redacted] stated that this call was made from Miami telephone 945-9723 sometime between 4:15 PM on December 10, 1965 and 2:30 PM on December 11, 1965. He stated that the telephone call was made to telephone 212-246-1300 and that he again is able to determine the called number based on his translation of the multi-frequency tones.

b6
b7C

54

On 1/5/66 at Miami, Florida File # Miami 165-592by SA [redacted] and SA [redacted] jgm Date dictated 1/6/66b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 2A between identification marks #10 and #10A and noted that the following conversation took place:

b6
b7C

"Operator Salsbury Hotel.

KEN Hello. 507 please Operator.

Operator Hold on.

KEN (talking with unknown person on another line - unintelligible)

NAT Hello.

KEN Hello NAT.

NAT Yeah.

KEN NAT, what'd - ya know?

NAT I got it all set for you. The only thing is there's a couple of - alright, I'll give them to you then I'll explain you what it is.

KEN Alright.

NAT Princeton, twenty.

KEN Princeton, twenty, yeah.

NAT Purdue, three.

KEN Purdue is three.

NAT Army, one.

KEN Yeah.

1/526/66Miami, FloridaMiami 165-592

On _____ at _____ File # _____

by SA [redacted] and SA [redacted] jgm Date dictated 1/6/66b6
b7C

MM 165-592

2.

"NAT Illinois, five.
KEN Yeah.
NAT Notre Dame, two.
KEN Yeah.
NAT St. Bonnie's a fill-in.
KEN Yeah.
NAT Now, over here: (tape interruption)
KEN There'll be nothing in today's game.
NAT O.K. then.
KEN Alright (terminate)
(end of conversation)

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

[redacted]

Miami, Florida, examined magnetic tape 2A, approximate footage 703, and he identified the beginning of a telephone call at this location on the tape with white tape #11 and the end of the call with white tape #11A. He stated that this call was made from Miami telephone 945-9723 between 2:30 PM on December 11, 1965, and 9:30 AM, December 13, 1965, to telephone number 212-246-1300. [redacted] can testify to the identity of the call number based on this translation of the multi-frequency tones recorded on the tape.

b6
b7C

57

On 1/5/66 at Miami, Florida File # Miami 165-592
by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66
b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 2A between identification marks #11 and #11A and noted that the following conversation took place:

b6
b7C

"Operator Salsbury.

KEN Ah - 507.

NAT Hello.

KEN Hello NAT.

NAT Yeah.

KEN I can't get into [redacted] you know.

b6
b7C

NAT Yeah.

KEN Yeah, I couldn't get in all day, it took me an hour to get in to him and ah - now he's going to close in 5 minutes.

NAT Yeah.

KEN I gave somebody else something to give him.

NAT Yeah.

KEN I was going to give you a bet if you wanted to give him a bet.

NAT If I can get in to him, sure!

KEN Ah - what have you got, _____ that Connecticut game?

NAT The Connecticut game?

1/5&6/66

Miami, Florida

Miami 165-592

On _____ at _____ File # _____

SA [redacted] and Jgm

b6
b7C

by SA [redacted] Date dictated 1/6/66

MM 165-592

2.

"KEN That's 42.

NAT 42, he had it at 7.

KEN 7, alright, I got him a bet - it not mine,
I bet on Connecticut."

(call cut off)

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

b6
b7c

[redacted]

Miami, Florida, examined magnetic tape 1A, approximate footage 198. He identified the beginning of a telephone call at this location on the tape with white tape #12 and the end of the telephone call with the #12A. [redacted] stated that this call was made from Miami telephone number 945-9723, however, stated that because of the poor quality of the multi-frequency tones he was unable to translate these tones into digits and determine the telephone number called. He did state, however, that this telephone call occurred between 8:45, November 24, 1965 and 8:30, November 26, 1965.

60

1/5/66

Miami, Florida

Miami 165-592

On _____ at _____ File # _____
by SA [redacted] and SA [redacted] Jgm Date dictated 1/6/66

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 5 & 6, 1966, SA [redacted] and SA [redacted] listened to the magnetic tape on reel 1A between identification marks #12 and #12A and noted that the following conversation took place:

b6
b7c

"KEN Hello [redacted]

[redacted] Yeah.

KEN What've you got the Baltimore game?

KEN What's the trouble?

b6
b7c

KEN Who Baltimore or Detroit?

KEN Detroit, hey? Alright here's some business for you then -

(long pause)

KEN Hello!

[redacted] Yeah

KEN I got a guy wants to bet on - on Detroit.

KEN Twelve? Alright - he's got Detroit plus twelve for a nickel.

On 1/5&6/66 at Miami, Florida File # Miami 165-592

by SA [redacted] and SA [redacted] jgm Date dictated 1/6/66

b6
b7c

MM 165-592

2.

[REDACTED]

KEN Alright now hang on, I got some horse business
for you. Well, what did that guy lose? One
twenty yesterday?

[REDACTED]

off)

(tape cuts

b6
b7C

62

FEDERAL BUREAU OF INVESTIGATION

Date 12/20/651

The records of the [redacted] b7D
[redacted] were reviewed and the following information
obtained for telephone number 945-9723:

[redacted]

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]
[redacted]
[redacted] Miami, Florida, or his authorized
representative. b6
b7C
b7D

63

On 12/14/65 at North Dade, Florida File # Miami 92-187-525
Miami 165-592
by IC [redacted] ggr /dk Date dictated 12/17/65 b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 12/13/65

b7D

The records of the [redacted] were reviewed and the following long-distance calls were obtained for telephone number 945-9723, subscribed to by KENNETH HANNA, 16790 NE 18th Avenue, Apt. 9:

<u>Date (1965)</u>	<u>City</u>	<u>Number</u>	<u>Other Data</u>
--------------------	-------------	---------------	-------------------

b6
b7C
b7D

The above records are confidential and can only be obtained through the issuance of a subpoena duces tecum. This subpoena should be directed to [redacted]

[redacted] MIAMI, FLORIDA, or his authorized representative.

64

b6
b7C
b7D

On 12/6/65 at Miami, Florida File # Miami 162-341
Miami 165-592

by IC [redacted] jgm Date dictated 12/7/65

FEDERAL BUREAU OF INVESTIGATION

1.Date 12/15/65

b7D

The records of the [redacted]
[redacted] were reviewed, and the following
information obtained for telephone number 945-9655:

b7D

Credit rating with telephone company was
listed as "D." This is a non-published telephone number.

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted] Miami, Florida, or his authorized representative.

b6

b7C

b7D

On 12/7/65 at Miami, Florida File # Miami 162-341
Miami 165-592
by IC [redacted] vc Date dictated 12/9/65

b6

b7C

FEDERAL BUREAU OF INVESTIGATION

1.

Date 12/15/65

The records of the [REDACTED]

b7D

[REDACTED] were reviewed, and the following
[REDACTED]b6
b7C
b7D

On 12/7/65 at Miami, Florida File # Miami 162-341
66
by IC [REDACTED] vc Date dictated 12/9/65
b6
b7C

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MM 162-341

2.

The above records are confidential and can only be obtained through the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

b6
b7C
b7D

[REDACTED]
[REDACTED] Miami, Florida, or his authorized representative.

FEDERAL BUREAU OF INVESTIGATION

Date 12/23/651.

The records of the [redacted]
[redacted] were reviewed and the following [redacted]

b7D

b6
b7C
b7D

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted]
[redacted] Miami, Florida, or his authorized representative.

b6
b7C
b7D

68

On 12/16/65 at Miami, Florida File # MM 162-341
Miami 165-592

by SA [redacted] mm [redacted] Date dictated 12/17/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

MM 165-592

WFH/dk

1

The following is a description of KENNETH HERBERT HANNA, also known as "KEN", "JAP", "CURLY":

Residence	2290 Northeast 170th Street, North Miami Beach, Florida, Apartment 2, as of January 1, 1966
Race	White
Sex	Male
Date of birth	July 3, 1911
Place of birth	Elizabeth, New Jersey
Nationality	Japanese - American
Height	5'10"
Weight	195 - 205 pounds
Eyes	Brown
Hair	Balding - gray fringes
Complexion	Dark
Glasses	Dark horned rimmed with thick lenses
Relatives	Mother - ELIZABETH HANNA 1213 Hibiscus Avenue Fort Pierce, Florida Telephone HO 1 7735
Wife	<div data-bbox="909 1354 1339 1501"></div>
Brother-in-law	<div data-bbox="1047 1491 1339 1533"></div> <div data-bbox="917 1533 1339 1627"></div>

b6
b7C

MM 165-592

WFH/dk

1

The FBI Identification Record of KENNETH HERBERT HANNA, FBI Number 739-132, is as follows:

<u>DATE</u>	<u>CHARGE</u>	<u>AUTHORITIES</u>	<u>DISPOSITION</u>
1/21/32	Assault 1st Degree	State Police, Malone, NY	
12/9/33	G.L. 2nd Degree - hold for exam	State Police Malone, NY	1/10/34 \$2,000 bail
3/26/35	Assault 2nd Degree	State Police Malone, NY	held for Essex Co. Grand Jury Sent to Danemora for 5 to 10 years. Sent. suspnd placed on prob. for 5 yrs. 9/30/35 arr. for viol. of prob. P.G. sent Danemora Prison.
12/9/35	Assault 1st	Clinton Prison Danemora	5 to 10 years
1/20/64	Bookmaking	Jersey City Hudson Co. SO	Charges dismissed 3/30/65
1/20/65	Bookmaking horses 2A; 112-3 events	State Police W. Trenton N. J.	" "

MM 165-592

WFH/dk

1

Concerning the arrest of HANNA on January 20, 1964, in Jersey City, New Jersey, the following information was determined:

Captain GERRY DOLLAR, New Jersey State Police, West Trenton, New Jersey, advised SA [REDACTED] on December 7, 1965, that KENNETH HERBERT HANNA, FBI Number 739 132, was arrested with four other individuals in a gambling raid on January 20, 1964, at 2301 West Street, Union City, N.J. All were charged with bookmaking and released on bail. HANNA gave address 1213 Hibiscus Avenue, Fort Pierce, Florida.

b6
b7C

His accomplices were PASQUALE BORRELLI, 50 Lexington Avenue, Paterson, N. J., CHARLES ALBERT GALIARDO, 3 Dyer Avenue, South Hackensack, N. J., [REDACTED], and FRANK BELLIZZIE, 415 Walker Street, Fair View, N.J.

All of the above were indicted on March 4, 1964, and on March 30, 1965, charges against HANNA and [REDACTED] were dismissed. BORRELLI was fined \$3,000 on March 19, and GALIARDO and BELLIZZIE were fined \$2,000 and \$100 respectively on March 30, 1965.

FEDERAL BUREAU OF INVESTIGATION

Date 12/23/65b6
b7C**1**

[redacted] **KENNETH HERBERT HANNA**
was interviewed at his office, [redacted]
[redacted] at which time the following was
discussed:

He stated that he would not say anything about [redacted]
[redacted] as everything he had heard was second-hand
and he did not know the facts.

b6
b7C

He did state that the only business dealings that
he had ever done with HANNA were [redacted]
These consisted of [redacted] HANNA [redacted]
[redacted] mainly the [redacted]

b6
b7C

[redacted] stated that HANNA's legal address is at HANNA's
mother's home, 1213 Hibiscus Avenue, Fort Pierce. He stated
that when HANNA comes to Fort Pierce, he stays at this
address. This is the only time that [redacted]
advised that he does not know where HANNA has his office, if
any, in Miami or where he lives when he is in Miami. He
stated that HANNA rents cars from various agencies in Miami,
the exact ones of which he has no idea. He stated that it is
usually a Chevrolet.

b6
b7C

72

On 12/14/65 at [redacted] File # Miami 162-341
Miami 165-598
by SA [redacted] sl /dk Date dictated 12/17/ 65

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date January 10, 1966

The following observations were made by
SA [redacted] at 2290 N. E. 170th Street, North
Miami Beach, Florida:

b6
b7C

8:14 A.M. Commence surveillance.

9:10 A.M. Unknown white male arrived at HANNA'S apartment driving a 1964 white Cadillac bearing 1965 Maryland license [redacted]. This individual admitted to the apartment by HANNA.

10:12 A.M. Unknown white female (possibly Mrs. HANNA) left HANNA'S apartment and drove off in a 1965 white Ford bearing 1965 Florida license 1W83590.

10:46 A.M. Mailman delivered mail to apartment house.

11:24 A.M. Unknown white female came out of HANNA'S apartment and started to clean the front windows of the apartment.

11:28 A.M. Above-described woman finished cleaning the windows and went back into HANNA'S apartment.

1:30 P.M. HANNA and unknown white male left HANNA'S apartment. HANNA drove off in a 1966 green Chevrolet bearing 1965 Florida license 1E21282; other man drove off in 1964 Cadillac, bearing 1965 Maryland license [redacted].

2:04 P.M. Surveillance discontinued.

73

On 1/6/66 at North Miami Beach, Florida File # Miami 165-592

by SA [redacted] mef Date dictated 1/10/66

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date January 10, 1966

The following observations were made by
SAs [redacted] and [redacted] at 2290 N. E.
170th Street, North Miami Beach, Florida:

7:45 A.M. Commence surveillance.

7:56 A.M. HANNA left his apartment and drove off
in his 1966 green Chevrolet bearing 1965
Florida license 1E21282.

b6
b7C

8:05 A.M. HANNA returned to his apartment.

8:12 A.M. HANNA left his apartment and drove off in
the above-described 1966 Chevrolet.

9:34 A.M. Unknown white female (possibly Mrs. KENNETH
HANNA) left HANNA'S apartment and drove off
in a 1965 white Ford bearing 1965 Florida
license 1W83590.

10:02 A.M. Unknown white male driving 1964 white Cadillac
bearing 1965 Maryland license [redacted] arrived at
the apartment house.

10:03 A.M. HANNA returned to the apartment house, and
he and above-mentioned white male entered HANNA'S
apartment.

2:06 P.M. HANNA left his apartment and drove off in the
1966 green Chevrolet.

2:11 P.M. HANNA returned to his apartment.

3:30 P.M. HANNA and above-mentioned unknown white male
left HANNA'S apartment and drove off in above-
mentioned 1964 white Cadillac.

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On 1/7/66 at North Miami Beach, Florida File # Miami 165-592

by SAs [redacted] & [redacted] Date dictated 1/10/66

b6
b7C

2

MM 165-592

3:45 P.M.

Surveillance discontinued.

75

FEDERAL BUREAU OF INVESTIGATION

1.

Date January 10, 1966

The following observations were made by
 SA [redacted] at [redacted] North
 Miami Beach, Florida:

b6
b7C

7:46 A.M. Commenced surveillance.

8:00 A.M. HANNA opened the door of his apartment, picked up something from the porch, and closed the door.

9:35 A.M. Unknown white male driving 1964 white Cadillac bearing 1965 Maryland license [redacted] arrived at HANNA'S apartment. HANNA opened the door of his apartment and unknown white male entered.

b6
b7C

10:25 A.M. Unknown white male driving 1957 light green Chevrolet station wagon arrived at HANNA'S apartment, was admitted to apartment by an unknown white female (possibly Mrs. HANNA).

10:32 A.M. White male returned to light green Chevrolet carrying something, and returned to the apartment carrying a suitcase or toolbox.

10:42 A.M. Unknown white female (possibly Mrs. HANNA) left the apartment and drove off in a 1965 white Ford.

10:50 A.M. Above-mentioned white female returned to HANNA'S apartment.

10:54 A.M. Same white female left HANNA'S apartment and drove off in a 1965 white Ford.

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On 1/8/66 at North Miami Beach, Florida File # Miami 165-592

by SA [redacted] mer Date dictated 1/10/66

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b7C

2

MM 165-592

11:00 A.M.

Special Agents [redacted] and [redacted] arrived at HANNA'S apartment, and SA [redacted] knocked on the door. After approximately one minute and ten seconds, no one had answered the door. SA [redacted] motioned to SA [redacted] who proceeded to hit the door with a sledgehammer.

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11:02 A.M.

After SA [redacted] hit the door with the hammer twice, the door flew open and entry to HANNA'S apartment gained. Surveillance discontinued.

MM 165-592

MJR/dk

1

AUTOMOBILES

On November 5, 1965, a 1966 green Chevrolet, bearing 1965 Florida license 1E-21282, was observed parked in front of 16790 Northeast 18th Avenue, at approximately 10:30 a.m., by Special Agents [REDACTED]
[REDACTED]

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b7C

On November 5, 1965, [REDACTED]
[REDACTED]

Miami Beach, Florida, advised that 1966 Chevrolet, green in color, bearing 1965 Florida license 1E-21282, was leased for two years to KENNETH HANNA, who resides 16790 Northeast 18th Avenue. He stated that Mr. HANNA was introduced to [REDACTED]

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[REDACTED] who presently is renting an automobile from this agency.

On November 10, 1965, a 1966 white Ford Galaxie, bearing 1965 Florida license 1W-183590, was observed parked in front of the residence at 16790 Northeast 18th Avenue.

Records of the Dade County Auto Tag Agency reflect that 1965 Florida license 1W-183590 is registered to KENNETH HANNA, at 16790 Northeast 18th Avenue, North Miami Beach, Florida.

On December 13, 1965, a 1966 Chevrolet, green in color, bearing 1965 Florida license 1E-21282, and also the 1966 Ford Galaxie, white in color, bearing 1965 Florida license 1W-183590, were observed by SA [REDACTED] and [REDACTED] parked in front of 2290 Northeast 170th Street, North Miami Beach, Florida.

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PROSECUTIVE ACTION

On January 4 through 6, 1966, the facts of this case were discussed with United States Department of Justice Attorneys BRIAN GETTINGS and WALLACE JOHNSON, then in Miami, who authorized the filing of a complaint against KENNETH HANNA charging HANNA with violation of Title 18, United States Code, Sections 1084, 1343 and 1952.

These Departmental Attorneys also authorized the obtaining of a search warrant for the residence of KENNETH HANNA, Apartment 2, 2290 Northeast 170th Street, North Miami Beach, Florida.

On January 7, 1966, Special Agent [redacted] appeared before United States Commissioner EDWARD P. SWAN, Miami, Southern District of Florida, and filed a complaint charging that KENNETH HANNA, in violation of Sections 1083, 1343 and 1952, Title 18, United States Code, did, between November 23, 1965 and December 19, 1965, in Dade County, Southern District of Florida, engage in the bookmaking business and knowingly used a wire communication facility in interstate commerce for the transmission of bets and wagers and information assisting in the placing of bets and wagers on sporting events and contests, in violation of Section 1084 of Title 18, and the said KENNETH HANNA having devised a scheme to defraud, transmitted by means of wire communication in interstate commerce, sounds for the purpose of executing such scheme, in violation of Section 1343, Title 18, and the said KENNETH HANNA used facilities in interstate commerce to carry on a business enterprise involving gambling offenses which violate the statutes of the State of Florida, in violation of Section 1952 of Title 18.

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Special Agents [redacted] and [redacted] also appeared before United States Commissioner EDWARD P. SWAN, Miami, in the Southern District of Florida, on

MM 165-592

January 7, 1966 and provided affidavits based on which Commissioner SWAN issued a search warrant for the residence of KENNETH HANNA, Apartment 2, 2290 Northeast 170th Street, North Miami Beach.

FEDERAL BUREAU OF INVESTIGATION

Date 1/13/66

1

On January 8, 1966, Special Agents [redacted] and [redacted] parked a Bureau automobile on the east side of the apartment buildings, 2290 Northeast 170th Street, North Miami Beach, and walked to the door of Apartment 2, 2290 Northeast 170th Street, North Miami Beach. Special Agents [redacted] and [redacted] arrived at the apartment door at 11:00 A. M. and noted that the draperies in the front of the apartment in the windows adjacent to the door were drawn. It was also noted that this was a wooden door with a peephole.

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Special Agent [redacted] immediately upon reaching the apartment door, rang the doorbell and announced, "FBI. We are here to execute a search warrant." In the period of one minute and fifteen seconds, the doorbell was rung six times and the door was knocked on with knuckles twice. There was no response to the announcement, the ringing of the doorbell or the knocking. Thereafter, Special Agent [redacted] directed Special Agent [redacted] to break through the door with a sledge hammer. In a minute and twenty seconds after the original ringing of the doorbell, Special Agent [redacted] struck the door two blows with the sledge hammer. The second blow broke the door open, and immediately thereafter, Special Agent [redacted] shouted through the open door, "FBI," and proceeded through the doorway, followed by Special Agent [redacted].

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On 1/8/66 at Miami, Florida File # Miami 165-592

SAs [redacted] and [redacted] by [redacted] sl [redacted] Date dictated 1/11/66

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Immediately upon going through the door, Special Agent [] observed HANNA and an unidentified man (subsequently identified as []) standing in the hallway east of the living room area. Special Agent [] immediately shouted to HANNA, "FBI, HANNA, you are under arrest. Do not move." HANNA was observed to then lunge into the bathroom near where he was standing, while [] remained standing in the hallway. When HANNA was reached in the bathroom, he was over the toilet and it was observed that the toilet had just been flushed and the water was still running. HANNA again was advised he was under arrest by the FBI and was physically seized by Special Agent [] and escorted into the living room where he was turned over to Special Agent []. Following this, [] was directed to take a seat in the living room.

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At 11:07 A. M., Special Agent [] spoke to HANNA and again advised him that he was under arrest by the Federal Bureau of Investigation, having been charged with Fraud by Wire, Interstate Transmission of Wagering Information, and Interstate Transportation in Aid of Racketeering. HANNA was also advised that the Federal Bureau of Investigation had a search warrant for his apartment and were going to thereafter execute this search in accordance with the search warrant. At this time it was confirmed with HANNA that Special Agent [] had advised him of his rights.

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Following the arrest of HANNA, Special Agent [] checked the doorbell on Apartment 2 and determined that this doorbell was in operating order.

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FEDERAL BUREAU OF INVESTIGATION

Date 1/13/66

KENNETH HERBERT HANNA, 2290 Northeast 170th Street, North Miami Beach, Florida, was advised, immediately following his arrest and search of his person, that he was not required to make any statement, that any statement he did make could be used against him in a court of law, that he had the right to consult an attorney prior to making any statement, and that he had a right to talk with a lawyer of his choice, or an attorney would be appointed by the Judge if he was unable to hire an attorney.

The above information was furnished HANNA by Special Agent [redacted] who also advised him of the identities of the interviewing Agents. No threats or promises were made to HANNA.

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At the time HANNA was searched in his home, an address book and \$2,300.00 in cash, consisting of the following denomination bills, were taken from him:

Seventeen	\$100.00 bills	-	total	\$1,700.00
Five	50.00 bills	-	total	250.00
Seventeen	20.00 bills	-	total	340.00
One	10.00 bill	-	total	10.00
			Grand Total	\$2,300.00.

Subsequently, at the Miami Federal Bureau of Investigation Office, and after the rights set out above

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On 1/8/66 at Miami, Florida File # Miami 165-592
 by SAs [redacted] and [redacted] sl [redacted] Date dictated 1/12/66

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b7C

MM 165-592

2

had been explained to HANNA, Special Agent [] asked HANNA if he had any objection to the retention of the address book in order that the contents could be studied. HANNA said he would not voluntarily give up the address book as there were names and numbers contained therein which he needed in his business.

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The address book and the above listed cash were then officially confiscated from HANNA and he was given a receipt by Special Agent [] for these items.

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Upon arrival at the Miami Federal Bureau of Investigation Office, HANNA was fingerprinted and photographed.

HANNA attempted to contact his attorney by telephone but was unsuccessful.

HANNA stated he did not care to discuss his gambling activities or other criminal matters.

Upon completion of the processing and attempted interview of HANNA at the Miami Federal Bureau of Investigation Office, he was taken to the Dade County Jail, Miami, where he was incarcerated for the United States Marshal in lieu of \$5,000.00 bond.

The following physical description of HANNA was obtained through observation and interrogation:

Name	KENNETH HERBERT HANNA
Sex	Male
Race	White
Address	2290 Northeast 170th Street Apartment 2 Miami, Florida
Birth	July 3, 1911 at Elizabeth, New Jersey

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3

Height
Weight
Build
Hair
Eyes
Complexion
Peculiarities
Occupation

5'9"
195 pounds
Heavy
Grey, thinning
Brown
Ruddy
Dark plastic rimmed glasses
Secretary-Treasurer of
105 Corp.,
Box 282, Fort Pierce, Florida
(HANNA states this
corporation is involved
in the leasing of land,
mostly at Cocoa Beach,
Florida, and that his

Immediate relatives

Miami, Florida;

Mother, ELIZABETH HANNA
1213 Hibiscus Avenue
Fort Pierce, Florida;

b6
b7C

Sister (husband's first
name unknown);

United States Army, Korea;

MM 165-592

4

[REDACTED]
Fort Pierce, Florida;

b6
b7C

[REDACTED]
(city unknown), Texas

Social Security Number
Scars and marks

076-14-5329
None noted.

FEDERAL BUREAU OF INVESTIGATION

1/11/66

Date _____

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On January 8, 1966, IRVING GORDON furnished the following signed statement to SA [redacted] and SA [redacted]

"January 8, 1966
Miami, Florida

"I, IRVING GORDON, have been advised by [redacted] who has identified himself to me as being a Special Agent with the Federal Bureau of Investigation, United States Department of Justice, that I might be called upon, at a later date, to testify to the contents of this statement.

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b7C

"My name is IRVING GORDON, I am seventy-five years of age, and I presently reside at 11900 Biscayne Blvd. (Howard's Trailer Park), Miami, Florida. I am a part-time, self-employed, cabinet maker and finisher and was sent here at 2290 NE 170th St., North Miami Beach, Florida, by the Maxwell Furniture Co., NE 2nd Ave. and 68th St., Miami, Fla., to repair some furniture that had been damaged during delivery.

"I arrived at apartment number two, NE 170th St., North Miami, Florida, which I know to be the HANNA residence, due to the address which was given me by the Maxwell Furniture Co., to perform certain repairs at this location, at 10:30 AM, January 8, 1966.

"At approximately 11:00 AM, January 8, 1966, while I was working in the center of the living room I heard the doorbell ring three or four times, and a couple knocks on the door. I further noticed one of the men come out from the side room, go to the door and look thru the two-way mirror peep hole, on the front door. This individual then returned to the side room. The ringing of the doorbell and the knock on the door was during a two to three minute period.

"I thought during this period I should have opened the door, but I felt it was not my business so I continued to ignore the bell and the knocking.

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On 1/8/66 at North Miami Beach, Florida # Miami 165-592

SA [redacted] and
SA [redacted] jgm

b6
b7C

1/10/66

by _____ Date dictated _____

MM 165-592

2.

"I recall there was a slight pause, then I heard two loud crashes as though the door was being hit with a hammer. The door opened and the two FBI Agents entered the apartment and announced themselves as being FBI Agents and that there was a warrant for Mr. HANNA's arrest. At this point I observed the two Agents move through the living room to the bathroom where they spoke to the two white males in the vicinity of the bathroom, and saw the two white unknown males being brought into the living room and seated on the living room couch.

"At this point one Agent asked me my name and purpose of being in the apartment at this time. I informed him I was here to perform certain work on the damaged furniture. The Agent then asked me if I would mind leaving the apartment in order that proper procedure could be continued.

"I have read this page and the preceding three pages and have initialed all corrections. I find this statement to be true and correct to the best of my knowledge.

"/s/ IRVING GORDON

"Witnesses:

"/s/ [redacted] SA, FBI, Miami, 1/8/66

"/s/ [redacted] Special Agent, FBI, Miami, 1/8/66"

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b7C

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FEDERAL BUREAU OF INVESTIGATION

Date 1/10/66

FRANCIS EARL CONNER, 1200 Windemere Avenue, Baltimore, Maryland, was interviewed at 2290 Northeast 170th Street, Apartment #2, North Miami Beach, Florida, and was immediately advised he was not under arrest and need not make any statement.

CONNER produced a driver's license, indicating his name and address, and advised he was just visiting KENNETH HANNA in order to talk to him about moving into an apartment.

He was again reminded he was not under arrest, and was requested to empty his pockets. The following items were noted:

Slips of paper containing the following telephone numbers:

WI 5-9655

-- 5-9723

755-3561 7 & 7

JOE 631-3535

CONNER had \$610 in bills on his person in the following denominations:

Five - \$100 bills

Three - \$20 bills

Three - \$10 bills

One - \$5 bill

Fifteen - \$1 bills

89

On 1/8/66 at North Miami Beach, Florida File # Miami 165-592

SA

plm

b6
b7C

1/10/66

by _____ Date dictated _____

FEDERAL BUREAU OF INVESTIGATION

Date 1/13/66

1

Following the arrest of KENNETH HANNA, a search of Apartment 2, 2290 Northeast 170th Street, North Miami Beach, was conducted, pursuant to a search warrant for those premises.

This search was conducted by Special Agents

and

The following items were located by the Special Agents indicated, were identified and turned over to Special Agent [redacted] for retention as evidence. The following is a list of the items located and seized, the Agent who located these items, and the location:

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b7C

<u>ITEM</u>	<u>AGENT</u>	<u>LOCATION</u>
1. Black box with red push buttons - earpiece	SA [redacted]	Shelf in closet of office or den
2. Lined yellow sheet with phone numbers	SA [redacted]	On table in office

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b7C

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On 1/8/66 at Miami, Florida File # Miami 165-592

SAs [redacted]

b6
b7C

by [redacted]

and [redacted]

Date dictated 1/11/66

MM 165-592

2

<u>ITEM</u>	<u>AGENT</u>	<u>LOCATION</u>
3. Three white sheets of lined paper with telephone numbers and names	SA <input type="text"/>	In back of yellow tablet on table in office
4. Several pages of dissolvable paper	SA <input type="text"/>	Table in office
5. One address book	SA <input type="text"/>	Table in office
6. Grey metal telephone and address index	SA <input type="text"/>	Table in office
7. One brown case containing map of telephone area codes, two weekly basketball and hockey schedules, one green small notebook, one yellow notebook, one brown notebook and six batteries	SA <input type="text"/>	Table in office

b6
b7C

MM 165-592

3

<u>ITEM</u>	<u>AGENT</u>	<u>LOCATION</u>
8. Nine canceled checks drawn on Central Brevard National Bank issued by HANNA	SA [REDACTED]	Samsonite luggage or attache case on floor of office
	b6 b7C	
9. One empty carton from [REDACTED] Carton mailed from New York.	SA [REDACTED]	Hall closet
10. One red bowl lined with aluminum foil containing ashes	SA [REDACTED]	Kitchen stove
11. Wallet with identification of [REDACTED]	SA [REDACTED]	Bedroom
12. Seven copies airline tickets, miscellaneous names	SA [REDACTED]	Bedroom
13. Brown notebook together with black ring notebook and folder with blank identification cards	SA [REDACTED]	East end of table, office

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4

<u>ITEM</u>	<u>AGENT</u>	<u>LOCATION</u>
14. Sterling pocket voltmeter	[REDACTED]	Table, office
15. One Clary electric adding machine, Number 169-654-341	SA [REDACTED]	Table, office
16. One group of miscellaneous hotel bill and airline tickets	SA [REDACTED]	Brown attache case, floor of office
17. One brown 3x5 notebook	SA [REDACTED]	Table, office.

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Photographs of the office space and apartment were
taken by Special Agent [REDACTED]

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A copy of this search warrant and an inventory
of the above items were left taped to the living room wall in
Apartment 2 at 2290 Northeast 170th Street, North Miami Beach.

On January 8, 1966, a return on this search warrant
was made before United States Commissioner EDWARD P. SWAN by
Special Agent [REDACTED]

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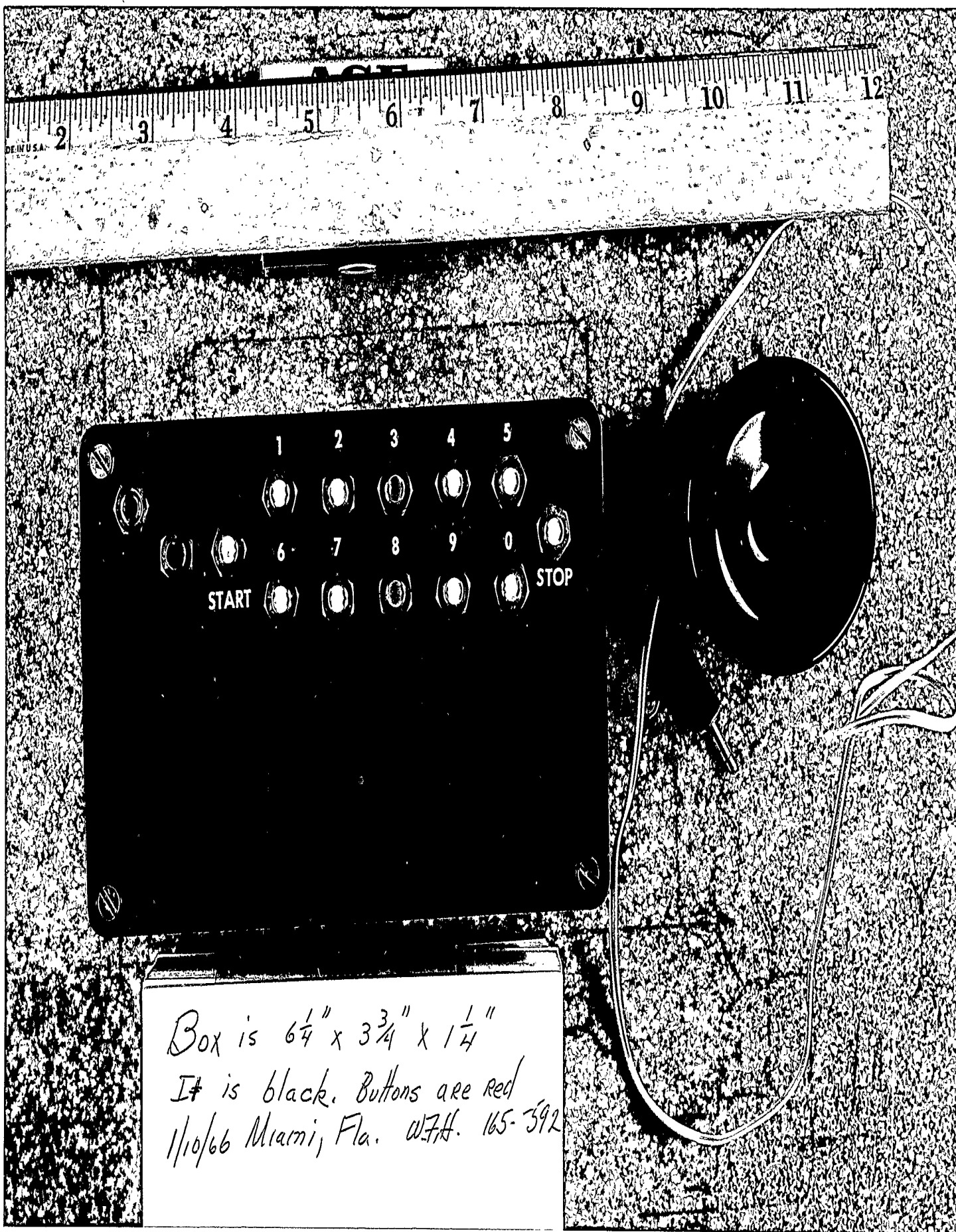
MM 165-592

In connection with the search of HANNA's apartment, described above, pursuant to the search warrant, there follows herein in this report a photograph of the "Blue Box" which was seized and which is listed as Item 1 above. There is also contained herein in this report a Xerox copy of a list of telephone numbers, nicknames and code numbers found in the search of HANNA's apartment and referred to as Item 3 in the list of items seized in the search.

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b7C

NAT. 246-1300

95



Box is $6\frac{1}{4}" \times 3\frac{3}{4}" \times 1\frac{1}{4}"$
It is black. Buttons are red
1/10/66 Miami, Fla. W.F.H. 165-392

FEDERAL BUREAU OF INVESTIGATION

1.

Date January 12, 1966

On the morning of January 10, 1966, a latent fingerprint examination was made of a device generally referred to as a "blue box", but which actually is black in color. This item is a rectangular-shaped instrument approximately 3 3/4" wide x 6 1/4" long by 1 1/4" high. In the upper left hand corner of the top of this box, is a jack hole. Into this hole, a jack can be plugged which has a wire attached and to this wire is connected an ear piece which is stamped on the back, "Western Electric, USA." In the upper section of the front of this box are twelve red buttons, nine (9) of them numbered one (1) through nine (9), one (1) numbered zero (0), one (1) labeled "Start" and the twelfth labeled "Stop." The numbered buttons are in two (2) rows, one (1) through five (5) in the upper row and six (6), seven (7), eight (8), nine (9) and zero (0) in the lower row. The "Start" button is to the left of the two (2) rows, and the "Stop" button is to the right of the two (2) rows. Immediately to the left of the "Start" button, is a black button.

As a result of the processing of both the box and the ear piece, the following described latent fingerprints were located:

Exhibit #1 - is a latent fingerprint lift obtained from the top of the box, near the corner below the red button marked, "Stop."

Exhibit #2 - is a fragmentary latent fingerprint lift obtained from the top of the box below the red button labeled "Start."

Exhibit #3 - is a fragmentary latent fingerprint lift located on the top of the box in the area around the red buttons numbered one (1) and "Start."

Exhibit #4 - contains numerous fragmentary latent fingerprints located on the top of the box and located

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On 1/10/66 at Miami, Florida File # Miami 165-592
 by SAs [redacted] and pch b6 b7C
 Date dictated 1/11/66

MM 165-592

2.

generally in the top center on the left side and continuing a little past the center. Exhibit #5 is a continuation of Exhibit #4, starting a little to the right of the center and going over to the right end.

Exhibit #6 - contains a few fragmentary latent fingerprints obtained from the right side of the box. It is to be noted that in this lift, there is a black line which is the joint where the upper plate of the box joins the main section.

Exhibit #7 - is taken from the lower side of the box starting on the left and proceeding to a point a little right of the middle. Exhibit #8 is a continuation of Exhibit #7, starting a little to the right of the center and going to the right corner of the lower side. It is noted that the black line appearing on this latent is the point where the upper plate joins the main section of the box.

Exhibit #9 - is a fragmentary latent lift obtained from the left side of the box. It is noted that the black line appearing on this latent is the point where the upper plate joins the main part of the box.

Exhibit #10 - is a fragmentary latent lift obtained from the bottom of the box, from the area of the corner directly behind the "Start" button.

Exhibit #11 - is a fragmentary latent taken from the back of the box at the very bottom section of the lower center.

Exhibit #12 @ is a group of fragmentary latent fingerprints obtained from the back of the ear piece. It is noted that there is a piece of Scotch tape covering much of the manufacturer's label, "Western Electric, USA".

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MM 165-592

3.

This piece of Scotch tape appears in the center of the left and on either sides of it are a few letters from the word "Western Electric."

Exhibit #13 - is a group of fragmentary latent fingerprints obtained from the outer edge of the ear piece. This particular lift is mounted on two (2) 3 x 5 cards that are attached together.

Exhibit #14 - is taken from the inner edge of the ear piece, which edge is recessed from the outer edge. This particular lift was obtained from an area at approximately 45 degrees angle above the name "Western Electric" on the rear of the ear piece.

Exhibit #15 - was taken from the inner edge of the ear piece, the recessed area. It is taken from a point located almost directly below the trade name, "Western Electric" which is on the rear of the ear piece.

FEDERAL BUREAU OF INVESTIGATION

Date 1/11/66

On January 8, 1966, Apartment 2, 2290 NE 170th Street, was searched pursuant to a search warrant. Telephones #945-9655 and #945-9723, located in that apartment, were taken off the hook between 11:04 AM and 11:21 AM, January 8, 1966.

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At 11:21 AM, SA [] and SA [] commenced answering all incoming telephone calls on telephone #945-9655 and #945-9723. These telephones were located in the office of Apartment #2, 2290 NE 170th Street, North Miami Beach, Florida (HANNA's residence).

The following incoming telephone calls are set out according to time, date and discussion:

11:21 AM, 1/8/66 - Unknown male caller identified himself as [] and requested the line on the runner-up bowl, and the North-South football game. Unknown caller was given a line of South 6 and Dallas 2.

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11:22 AM, 1/8/66 - Unidentified male caller asked to speak to [] and requested the identity of the Agent answering telephone. The caller was advised that [] was not presently at this location.

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11:27 AM, 1/8/66 - The unknown male caller asked for the identity of the Agent answering the phone and was advised it was []. The caller then hung up.

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11:30 AM, 1/8/66 - Male caller who identified himself as [] asked to speak to KEN. The caller asked how things were going. The Agent answering the phone advised that KEN stepped out for a moment. The caller hung up.

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11:32 AM, 1/8/66 - Caller identified himself as Special Agent [] of the FBI, who advised that he called to determine if 945-9655 was in fact in operation at the HANNA residence, 2290 NE 170th Street, Apartment #2, North Miami Beach, Florida.

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100

On 1/8/66 at North Miami Beach, Florida File # Miami 165-592

by SA [] and SA [] : jgm Date dictated 1/10/66

b6
b7C

MM 165-592

2.

11:37 AM, 1/8/66 - Caller identified himself as Special Agent [] who advised that he called to determine if 945-9723 was in fact in operation at the HANNA residence, 2290 NE 170th Street, Apartment #2, North Miami Beach, Florida.

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b7C

11:40 AM, 1/8/66 - Male caller identified himself as [] who asked for KEN and wanted to know how things were going. He was informed that KEN stepped out for a moment. At this point the caller said he would call back and hung up.

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12:05 PM, 1/8/66 - Unidentified caller requested the line of the Dallas and Baltimore football game. The line was given as Dallas 2. Caller then hung up.

12:22 PM, 1/8/66 - Male caller identified himself as [] and asked for KEN. He was advised KEN was out to get something but would return. Caller requested KEN call him in Las Vegas at telephone [] as he needed "the line".

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b7C

12:55 PM, 1/8/66 - Male caller (same as individual in above call), who identified himself as [] asked if KEN had returned and he was advised KEN had not returned. Caller requested that KEN call him back at 735-9111 or 735-9086, advising that if KEN called either of these numbers he would have to have the caller paged as these numbers were pay phones. Caller at this time requested the line for the college basketball games. The basketball line for Saturday, 1/8/66, was given.

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b7C

1:55 AM, 1/9/66 - Answering of telephone calls discontinued.

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MM 165-592

On January 10, 1966, KENNETH HANNA was arraigned before Commissioner EDWARD P. SWAN, at which time his bond was continued at \$5,000.00 and the date for a preliminary hearing was set as 2:30 P. M., January 20, 1966. HANNA was represented at his arraignment by Attorney BEN COHEN of Miami Beach.

PLAINTEXT

1-15-66

TELETYPE

URGENT

TO: SAC, NEWARK (165-663)

FROM: DIRECTOR, FBI

KENNETH HERBERT ^(S)HANNA, AKA. ITWI; FBW

REURTEL JANUARY FOURTEEN AND URLET JANUARY ELEVEN.

LATENT PRINTS DEVELOPED. UNABLE TO LOCATE FINGERPRINTS

EXAMINATION CONTINUING.

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b7C

JW:cao
(5)

Teletype sent due to Grand Jury deadline 1-19-66.

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐

TELETYPE UNIT ☒

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 15 1966

TELETYPE

1 JAN 17 1966

165-1990-13

643 P 890

FBI NEWARK

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 15 1966

TELETYPE

FBI WASH DC

643 PM URGENT 1-15-66 BJH

TO NEWARK 165-663

FROM DIRECTOR 1 P

KENNETH HERBERT HANNA, AKA. ITWI; FBW

REURTEL JANUARY FOURTEEN AND URLET JANUARY ELEVEN.

LATENT PRINTS DEVELOPED. UNABLE TO LOCATE FINGERPRINTS ☐

☐ EXAMINATION CONTINUING.

b6
b7c

END

NK EJC

FBI NEWARK

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN MIAMI	DATE 1/14/66	INVESTIGATIVE PERIOD 1/4 - 10/66
TITLE OF CASE CHANGED KENNETH HERBERT HANNA aka; NATHAN MODELL aka Nat Modell - FUGITIVE <i>custody NY airtel 1-11-66</i>		REP CHARACTER OF CASE ITWI	b6 b7C TYPED BY dje

1-28-66 57

Title is marked "Changed" to reflect true name and alias of MODELL.

REFERENCES:

Miami airtel to Bureau, dated 12/27/65.
Miami teletype to Bureau, dated 1/4/66.
Newark teletype to Bureau, dated 1/5/66.
New York teletype to Bureau, dated 1/5/66.
New York teletype to Bureau, dated 1/5/66.
Miami teletype to Bureau, dated 1/5/66.
Bureau teletype to Miami, dated 1/6/66.
New York teletype to Bureau, dated 1/7/66.
Miami teletype to New York, dated 1/8/66.
New York teletype to Bureau, dated 1/8/66.
New York airtel to Bureau, dated 1/11/66.

-P-

APPROVED <i>JFM/Grp</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ③ - Bureau 2 - USA, SDNY 3 - Miami (165-592) (1 - USA, Miami) 1 - Newark (INFO) 2 - New York (165-1344)		165-1990-14	MCT-7
		1 JAN 17 1966	REC 8 ST-105
Dissemination Record of Attached Report		Notations FUG. SUP.	
Agency			
Request Recd.	" 2 CC, AAG, Criminal Division, Organized Crime & Racketeering Section		
Date Fwd.	Room 524		
How Fwd.			
By	55 MAR 1 1966		

1/21/66 ST-105

NY 165-1344

ADMINISTRATIVE:

It is to be noted that observed in the room of NATHAN MODELL was a notice of a [redacted] from the Jacksonville, Florida, office of the Internal Revenue Service for NATHAN [redacted] MODELL. [redacted] Florida, in the amount of [redacted]. The notice was dated 6/30/65, and the DLN # was [redacted]. Also observed was a saving account book [redacted] for the Chase Manhattan Bank, 100 W. 57th St., N.Y.C. The above items were left in the subject's room.

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It is to be noted that subject was apprehended before fugitive form letter left the NYO.

LEAD:

NEW YORK

AT NEW YORK, NEW YORK. Will follow and report prosecution.

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

2 - USA, SDNY
1 - USA, Miami

Report of:**Date:**

[REDACTED]

b6
b7C

Office: New York, New York

1/14/66

Field Office File #:

165-1344

Bureau File #:**Title:**

KENNETH HERBERT HANNA;
NATHAN MODELL

Character:

INTERSTATE TRANSMISSION OF WAGERING
INFORMATION

Synopsis:

Information received from Miami Office, FBI, that NATHAN MODELL, in N.Y.C., was being called by KEN HANNA from Miami, Fla., and MODELL and HANNA were betting and exchanging sports line. On 1/4/66, NYO ascertained that MODELL has resided at Salisbury Hotel, 123 W. 57th St., N.Y.C., since November, 1963. On 1/7/66, AUSA MICHAEL S. FAWER, SDNY, authorized filing of a complaint against MODELL and on same date above were filed before USC EARLE N. BISHOPP, SDNY, by SA [REDACTED] Miami, charging violation of Title 18, USC, Sections 2, 371, and 1084. Search warrant also filed. MODELL arrested by Bureau agents at Salisbury Hotel, 1/8/66, and his room was searched pursuant to search warrant. MODELL arraigned before USC, SDNY, on 1/10/66, and bond was set at \$5,000. Search warrant returned on 1/10/66.

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-P-

DETAILS:

Investigation in this case was instituted upon information received from the Miami Office, Federal Bureau of Investigation (FBI), that KENNETH HERBERT HANNA and NAT MODELL were betting and exchanging sports line telephonically between Miami, Florida, and New York City, New York.

NY 165-1344

On January 4, 1966, Special Agent (SA) [redacted] caused the records of the New York City Police Department (NYCPD) to be searched for one NATHAN MODELL which revealed MODELL, B Number 12026, was arrested October 23, 1936, and May 28, 1940, for bookmaking.

On January 4, 1966, [redacted] Intelligence Section, Internal Revenue Service, New York City, advised he has no record of a federal wagering stamp for NAT MODELL.

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On January 7, 1966, the facts in this case were presented to Assistant United States Attorney (AUSA) MICHAEL S. FAWER, Southern District of New York, by SA [redacted], of the Miami Office of the Federal Bureau of Investigation. AUSA FAWER authorized filing of a complaint against NATHAN MODELL, charging him with violations of Title 18, United States Code, Sections 2, 371, 1084, to wit:

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I.

That on or about December 3, 1965, at New York City, New York, in the Southern District of New York, Nat Modell did engage in the business of betting and wagering, and did knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events and contests, that is football and basketball games, and of information assisting in the placing of bets and wagers on such sporting events and contests, all in violation of 18 U.S.C. Section 1084.

II.

That on or about December 10, 1965, at New York City, New York, in the Southern District of New York, Nat Modell did engage in the business of betting and wagering, and did knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events and contests, that is football and basketball games, and of information assisting in the placing of bets and wagers on such sporting events and contests, all in violation of 18 U.S.C. Section 1084.

III.

That on or about December 11, 1965, at New York City, New York, in the Southern District of New York, Nat Modell did engage in the business of betting and wagering, and did knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events and contests, that is football and basketball games, and of information assisting in the placing of bets and wagers on such sporting events and contests, all in violation of 18 U.S.C. Section 1084.

IV.

That on or about December 16, 1965, at New York City, New York, in the Southern District of New York, Nat Modell did engage in the business of betting and wagering, and did knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events

and contests, that is football and basketball games, and of information assisting in the placing of bets and wagers on such sporting events and contests, all in violation of 18 U.S.C. Section 1084.

V.

That on or about December 18, 1965, at New York City, New York, in the Southern District of New York, Nat Modell did engage in the business of betting and wagering, and did knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events and contests, that is football and basketball games, and of information assisting in the placing of bets and wagers on such sporting events and contests, all in violation of 18 U.S.C., Section 1084.

VI.

That beginning on or about November 26, 1965, and continuously thereafter until on or about January 7, 1966, at New York City, New York, in the Southern District of New York, Nat Modell and Kenneth Hanna did conspire and agree together and with other persons to commit offenses in violation of the laws of the United States. The offense which Nat Modell and Kenneth Hanna agreed to commit as the object of the conspiracy was:

To engage in the business of betting and wagering and to knowingly use a wire communication facility, that is, the telephone, for the transmission in interstate commerce between New York City, New York, and Miami, Florida, of bets and wagers on sporting events and contests, that is, basketball games and football games, and of information assisting in the placing of bets and wagers on such sporting events and contests; in violation of 18 U.S.C. Section 1084.

In furtherance of the objects of the said conspiracy and during the continuance thereof, Nat Modell, Kenneth Hanna, and others did commit various overt acts, including telephone conversations on December 3, December 10, December 11, Dec. 16 and December 18, 1965.

All in violation of Title 18, U.S.C., Section 371.

NY 165-1344

On January 7, 1966, this complaint was filed before United States Commissioner EARLE M. BISHOPP, Southern District of New York, by [REDACTED] and a warrant was issued the same date.

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1.

FEDERAL BUREAU OF INVESTIGATION

1/13/66

Date _____

At approximately 10:25 a.m. an individual fitting the description of NAT MODELL left Room 507 with a young male who appeared to be in his late teens. Individuals were approached by Special Agents (SAs) and the older individual identified himself as NATHAN (NAT) MODELL and the other person as [redacted] MODELL was then advised by Special Agent (SA) [redacted] of his identity as a SA with the Federal Bureau of Investigation (FBI) and that he, MODELL, was being placed under arrest. He was advised that he was placed under arrest pursuant to a warrant issued by the United States Commissioner of the Southern District of New York, charging him with violation of Title 18, United States Code, Sections 2, 371, and 1084. He was advised that this was a violation of a federal statute regarding interstate transmission of wagering information. SAs [redacted] and [redacted] also served NAT MODELL with a Federal Search Warrant for the premises of Room 507, Salisbury Hotel, 123 West 57th Street, New York City. MODELL was advised the search warrant was issued in the United States District Court, Southern District of New York, by United States Commissioner EARLE N. BISHOPP on January 7, 1966. A copy of the arrest warrant and search warrant were shown to MODELL which he examined. He was then advised by SA [redacted] that he did not have to say anything, that anything he did say could be used against him in a court of law, that he had a right to consult an attorney before saying anything, and if he could not afford an attorney, the judge would appoint one for him.

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At this time, 10:27 a.m., SAs [redacted] and [redacted] arrived and MODELL opened the door to his room to allow the search to be made.

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As a result of the search incidental to the arrest, the following property was seized from MODELL:

1/8/66

New York, New York

165-1344

On _____

at _____

File # _____

SAS [redacted]

b6
b7C

and [redacted]

dje

1/13/66

by _____

Date dictated _____

NY 165-1344

2.

(1) \$1,602.10 in cash, consisting of:

Ten one hundred dollar bills:	\$1000.00
Six fifty dollar bills:	300.00
Eleven twenty dollar bills:	220.00
Six ten dollar bills:	60.00
Two five dollar bills:	10.00
Eleven one dollar bills:	11.00
One quarter	.25
Six dimes	.60
Five nickels	.25

(2) Weekly basketball and hockey schedule from Multiple Sports News Service, Miami, Florida, Volume Four, Number Six, for week ending January 9, with handwritten pencil notations after numerous games.

(3) Address book containing names, addresses, and phone numbers.

(4) One three by five piece of paper with Salisbury Hotel letterhead bearing handwritten names.

(5) Envelope from [redacted] Florida, containing a letter and a pawn ticket Number P29455, Sand G. Gross Company, 486 Eighth Avenue, New York City, LA 4-8704, for one fur cape.

b6
b7C

(6) Twelve business cards and one photograph of a boy.

When MODEL was asked to comment on the money and the racing form he said he had nothing to say concerning the money or the racing form.

NY 165-1344

3.

The following description of MODELL was obtained by interview and observation:

Name	NATHAN MODELL
Race	White
Sex	Male
Date of Birth	April 1, 1908
Height	Five feet nine inches
Weight	160 pounds
Eyes	Brown
Hair	Gray Black, balding
Marital Status	Married to [REDACTED]
	[REDACTED]
	[REDACTED] Florida
Children	[REDACTED]
	[REDACTED] Florida
	[REDACTED]
Residence	Salisbury Hotel 123 West 57th Street Room 507 New York City
Former Residence	8330 Byron Avenue Miami Beach, Florida
Drivers License	Florida operators license D-41161D Expires 1966
Social Security Number	126-14-2514

b6
b7C

On MODELL's Florida drivers license, his occupation was listed as a salesman. MODELL advised he was no longer a salesman but declined comment on his present occupation.

FEDERAL BUREAU OF INVESTIGATION

Date 1/13/66

The Room 507 at Salisbury Hotel, 123 West 57th Street, New York City, of NATHAN MODELL was searched by Special Agents (SAS) [] and [] pursuant to search warrant filed on January 7, 1966, for the premises.

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b7C

MODELL's room consisted of a master bedroom with twin beds, bathroom and two closets. The following material was confiscated:

One three by five piece of paper with Salisbury Hotel letterhead bearing handwritten names. Two three by five pieces of paper with St. Moritz Hotel letterhead bearing handwritten notations. One five by six piece of paper with Hotel Salisbury letterhead bearing handwritten notations. Five sheets of what appears to be white tissue paper.

MODELL was asked if he would like to comment on the handwritten notations and tissue paper but he stated he did not want to say anything concerning the above.

This material was confiscated by the Agents and NAT MODELL who had been present during the search was given a copy of the above-described search warrant along with a receipt of this property as seized.

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On 1/8/66 at New York, New York File # 165-1344
by SAS [] and [] Date dictated 1/13/66
[] dje

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NY 165-1344

Subsequent to the arrest of NATHAN MODELL and the searching of his room at the Salisbury Hotel he was transported to the New York Office of the Federal Bureau of Investigation, where he was fingerprinted. He was then transported to the Federal House of Detention, West Street, New York City, and turned over to the authorities of this institution.

NY 165-1344

On January 8, 1966, [redacted]
[redacted] South, Bronx, New York, advised that on January 7,
1966, he had been unable to obtain a ride home due to the
transit strike, so he had spent the night with [redacted]
NATHAN MODELL. He stated he did not know what business
[redacted] was in. The following description
was obtained by interview:

b6
b7C

Name
Address

Date of Birth
Place of Birth
Parents

Occupation

b6
b7C

NY 165-1344

On January 10, 1966, MODELL was arraigned before United States Commissioner EARLE N. BISHOPP, Southern District of New York, at which time preliminary hearing was rescheduled for 12 noon, January 19, 1966, so subject could obtain an attorney. Bond was set at \$5,000.

NA
1-13-66
DFB

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 13 1966

TELETYPE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Wick	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

FBI NEWARK

6-31 PM EST URGENT 1/13/66 E.J.C.

TO DIRECTOR AND MIAMI

FROM NEWARK (165-663)

KENNETH HERBERT HANNA, AKA. ITWI; FBW.

REMYAIRTEL ONE ELEVEN SIXTY SIX.

[REDACTED] SUMMONED BEFORE FGJ THIS DATE AND
UPON ADVICE OF ATTORNEY [REDACTED] REFUSED TO RESPOND
TO QUESTIONS OF DEPARTMENTAL ATTY PETER R. RICHARDS. [REDACTED]
ORDERED TO TESTIFY UNDER PROVISIONS OF TITLE FOUR SEVEN, FCA,
BY USDC JUDGE THOMAS F. MEANEY. [REDACTED] RETURNED TO FGJ AND
PERSISTED IN REFUSAL TO RESPOND WHEREUPON HE WAS RETURNED TO USDC
WHERE CIVIL CONTEMPT FINDING WAS REQUESTED. RULING TO BE MADE
TWO PM TOMORROW. BUREAU WILL BE KEPT ADVISED.

END

WA ... LLD

FBI WASH DC

MM... PJR

FBI MIAMI

TU

53 JAN 21 1966

229

REC-19/65-1990-15
15 JAN 18 1966

GB

F B I

Date: 1/12/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, MIAMI (165-592)

SUBJECT: KENNETH HERBERT HANNA, aka
Ken Hanna,
Jap.
Curly
ITAR; ITWI:- FRAUD BY WIRE

OO: Miami

For the information of the Las Vegas Office, KENNETH HANNA was arrested by Bureau agents on 1/8/66 and a search warrant was also executed for his residence, Apt. 2, 2290 N. E. 170th Street, North Miami Beach.

In connection with the above, the telephones, Miami telephone numbers 945-9655 and 945-9723, were answered by Bureau agents.

At 12:22 p.m. on 1/8/66, a male called HANNA's apartment, identified himself as [] and asked for KEN. This individual was informed that KEN was out but would return shortly. [] thereafter requested that KEN call him in Las Vegas at telephone number [] as he, [] needed the line.

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At 12:55 p.m. the same individual called back, identified himself as [] and requested that KEN call him back at 735-9111 or 735-9086, advising that if KEN called at either of these two numbers he would have to have the caller paged as the numbers were pay telephones. [] requested the line for basketball games for Sat., 1/8/66 and this line was given to him.

b6
b7C

2 - Bureau
1 - Las Vegas
1 - Miami
WFH:mb
(4)

REC-17

165-1990-16
10 JAN 14 1966

Approved: *[Signature]*
69 JAN 21 1966
Special Agent in Charge
229

Sent *[Signature]* M Per _____

MM 165-592

Las Vegas should identify [] at telephone number 735-9701 and interview him concerning his telephone call to KEN HANNA on 1/8/66. An effort should be made to determine if [] has been furnished the line by HANNA on prior occasions and if possible a signed statement obtained in order that [] can be utilized as a witness against HANNA.

b6
b7C

Las Vegas should advise results of this interview by airtel as the HANNA case will be presented to the Grand Jury in the very near future.

F B I

Date: 1/11/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO : DIRECTOR, FBI

FROM : SAC, NEW YORK (165-1344)

SUBJECT: CHANGED
KENNETH HERBERT HANNA aka;
NATHAN MODELL - FUGITIVE
ITWI; FBW
(OO: MIAMI)

NB
noted 1-18-66 al 57

Title is changed to add NATHAN MODELL as a subject in this case and to reflect his fugitive status, which was inadvertently omitted subsequent to process which was obtained for MODELL 1/7/66.

NATHAN MODELL arraigned before USC, SDNY, 1/10/66 and remanded to custody of US Marshal in lieu of \$5,000 bond.

Search warrant returned and filed before US Commissioner on 1/10/66.

h

- ② - Bureau
2 - Miami (165-592)
1 - New York (92-1073)
1 - New York

ENH:lbm
(8)

REC-69

EX-100

12 JAN 12 1966

FUGITIVE

Approved: *[Signature]*

50 JAN 21 1966

Special Agent in Charge

Sent _____

M

Per *[Signature]*

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTN: LATENT FINGERPRINT SECTION)

DATE: 1/17/66

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA
ITAR; ITWI - FBW

OO: Miami

Re Miami airtel to Bureau dated 12/27/65, copy to Baltimore, and Miami teletype to Bureau dated 1/8/66.

At the time of HANNA's arrest by BuAgents at Miami, on January 8, 1966, a box, generally referred to as a "blue box", but which actually is black in color, 3 3/4" wide x 6 1/4" long by 1 1/4" high, was obtained in HANNA's apartment. This box and the ear piece attached to the box, were processed for latent fingerprints. Enclosed for the Latent Fingerprint Section, find the fifteen (15) lifts, 11 of which were obtained from the box and four from the ear piece.

This box was located in HANNA's apartment, #2 at 2290 NE 170th Street, North Miami Beach, Fla. At the time of HANNA's arrest, FRANCIS EARL CONNER, who stated his residence was 1200 Windemere Avenue, Baltimore, Md., was present in the apartment. The Latent Fingerprint Section is requested to attempt to locate a fingerprint record on FRANCIS EARL CONNER, who appears to be a race track tout and may have an arrest record and compare his fingerprints against any identifiable latents submitted herewith.

The Baltimore Office is requested to check their indices and conduct any additional plausible investigation in order to obtain background data on CONNER, determine any arrest record he may have, and

- 2 - Bureau (Enc. 15) (RM)
 - 2 - Baltimore
 - 1 - Miami
- JPL:pch
(5)

REC-80/65-1990-18

3 JAN 19 1966

ST-124



FEB 4 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MM 165-592

promptly advise the FBI Latent Fingerprint Section if a record of CONNER being fingerprinted for either criminal violation or for any other purpose is ascertained.

Additional background data on CONNER will be forwarded to the Latent Fingerprint Section by Miami as it is developed.

FEB 11 '66
MAR 28 '66
2-10-66-MS

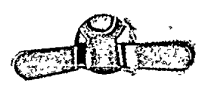
165-1990-18
1/17/66 (Date of incrim. let from Miami)
130 photos
RC 64617

Kenneth Herbert Hanna
LJAR; LJD - FBW

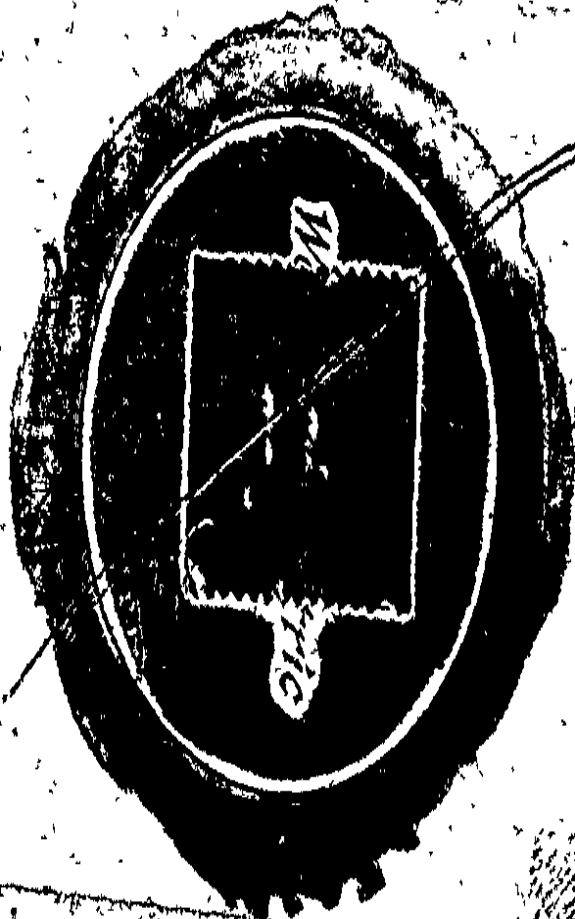
1 palm print

165-1990-18
Photos of latents

Done
LJH



165-1990-18



1-207

LC#64617

ONE INCH

0

1

FEDERAL BUREAU OF INVESTIGATION

gray powder, transp left.

(Ex #12) Back of earphone
for black box from Hanna's
apartment in Miami

LC 64612

165-1111-10

FBI

Date: 1/16/66

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka
Ken Hanna,
"Jap",
"Curley"
-ITWI; FBW

OO: Miami

Re Miami airtel to Bureau, 12/27/65.

On 1/8/66, KENNETH HERBERT HANNA was arrested at his residence, Apt. 2, 2290 N. E. 170th St., North Miami Beach, Fla., charged with Fraud by Wire, ITAR, ITWI. His residence was searched pursuant to a search warrant and among other things, the following items were seized:

- 3 - Bureau (Enc. 2)
2 - Albany (Enc. 2)
2 - Atlanta (Enc. 2)
2 - Baltimore (Enc. 2)
2 - Dallas (Enc. 2)
2 - Detroit (Enc. 2)
2 - Jackson (Enc. 2)
2 - New Orleans (Enc. 2)
2 - New York (Enc. 2)
2 - Newark (Enc. 2)
2 - Oklahoma City (Enc. 2)
2 - Philadelphia (Enc. 2)
3 - Miami (1 - 162-341)
(1 - 92-353)
- ENCLOSURE ATTACHED
- REC-22
- 165-1990-19
- 14 JAN 12 1966
- 1 ed 94

WFH:fs
(28)

b6
b7c

FEB 3 1966

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

MM 165-592

1. A "blue box" which actually was a small black box utilized in defrauding the telephone company by supplying multi-frequency tones.

A photograph of this box is enclosed herewith for the Bureau and all offices receiving a copy of this communication.

2. Also seized were two sheets of paper showing telephone numbers, nicknames, and code numbers of individuals with whom HANNA was apparently conducting his gambling business.

A xerox copy showing both of these sheets is enclosed for the Bureau and each office receiving a copy of this communication.

This information should be utilized by each office in connection with the telephone numbers set forth in referenced airtel.

RE KENNETH HERBERT HANNA, AKA
ITWI; FBW

ENCLOSURES photo and copy of lists (2)

TO BUREAU

FROM SAC, MIAMI

MM FILE No. 165-592

Transmitted with letter to
Bureau, 1/10/66.

13



165-1990-19

F B I

Date: 1/11/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, NEWARK

SUBJECT: [REDACTED] aka. b6 b7C

AR; IGA
Newark file 92-624
Miami File 92-353KENNETH HERBERT HANNA, aka.
ITWI; FBW
Newark File 165-663
Miami File 165-592

b7D

Remytel 1/8/66.

[REDACTED] (NA), [REDACTED]
Union City PD, contacted 1/10/66 and furnished the following:[REDACTED] and [REDACTED]
[REDACTED] were charged with Bookmaking on 1/8/66 and released in \$1000 bail. Preliminary hearing is set for 1/19/66. The Union City, NJPD, is in possession of considerable evidence of numbers sports and horse race wagering from [REDACTED] location of telephone numbers [REDACTED] and [REDACTED] listed to [REDACTED] Arrangements have been made to obtain photographs of this material.

[REDACTED] voluntarily accompanied Union City PD officers to headquarters where they were met by Attorney [REDACTED]

3 - Bureau
2 - Miami
2 - NewarkJPW:ks
(7)

Approved: [Signature] Special Agent in Charge

Sent _____

Per _____

JAN 12 1966

NOT RECORDED
JAN 24 1966

ORIGINAL FILED IN 92-3625-317

NK 92-624

[redacted] who demanded that [redacted] be charged or released, threatening officers with false arrest. Officers consulted with Hudson County Assistant Prosecutor [redacted] who concluded there was insufficient evidence to charge [redacted] assured [redacted] availability through him.

[redacted] was in possession of a Social Security Card [redacted] in the name of [redacted]

As noted in retel, [redacted], when contacted as owners in execution of search warrant at that address, offered cooperation in identification of [redacted] who, they said, had occupied the second floor apartment. During the interview, [redacted] noted that her mother lives at [redacted]

On 1/10/66 [redacted] was contacted outside his place of employment. He stated that his family was upset at the publicity given the fact that his property was searched and that his wife, who is pregnant, has become ill. He said he has, therefore, contacted an attorney who advised them that all inquiries should be directed to him. [redacted] identified his attorney as [redacted] [redacted] said he feels he has nothing to hide but will, nevertheless, comply with his attorney's wishes.

During interview with Bureau Agents on 1/8/66, [redacted] exhibited a card identifying himself as a member of [redacted]

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On 1/10/66 [redacted] advised that [redacted] SSN [redacted] is a member in good standing and is presently employed under the name [redacted] as [redacted] He was born [redacted] and resides at [redacted] telephone [redacted]

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b7C

Also on 1/10/66, records at the Bureau of Vital Statistics, Hudson County, were checked for [redacted] Based on the results, it may be concluded that [redacted]

b6
b7C

b6
b7C

NK 92-624

and [redacted] are brother and sister. Furthermore, it appears that neither she nor her husband, intends to identify the occupant [redacted] (LNU) of their second floor apartment as [redacted]

A check of the records at Union City PD and the Hudson County Sheriff's Office has failed to produce any record of [redacted] Newark is continuing efforts to obtain a photograph of [redacted] It is possible that neighborhood inquiry will produce a witness to his regular attendance at [redacted] during the period 11/26 to 12/16/65. Also, telephones and other items seized at this location are being forwarded to the Latent Fingerprint Section for examination. A request will be made for comparison with [redacted] prints which may be on file at the Identification Division.

b6
b7C

F B I

Date: 1/20/66

Transmit the following in _____
(Type in plain text or code)Via AIRTEL

(Priority)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Wick	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (165-1990)

FROM: SAC, MIAMI (165-592) (P)

KENNETH HERBERT HANNA, Aka
ITAR; ITWI; FBW

OO: Miami

Rerep SA [] Miami, 1/18/66.

b6
b7c

Enclosed for the Bureau and offices receiving this communication are correct pages 20 and 81 of rerep.

The Bureau and each office is requested to insert corrected pages.

- 6 ENCLOSURE DETACHED AND FILED IN SER. 12 1/26/66
- 3 - Bureau (Enc-6)
 - 2 - Albany (Enc-4)
 - 2 - Atlanta (Enc-4)
 - 2 - Baltimore (Enc-4)
 - 2 - Dallas (Enc-4)
 - 2 - Detroit (Enc-4)
 - 2 - Jackson (Enc-4)
 - 2 - New Orleans (Enc-4)
 - 4 - New York (2 - 165-NAT MODELL) (Enc-8)
 - 4 - Newark (Enc-8)
 - 2 - Oklahoma City (Enc-4)
 - 1 - Philadelphia (165-698) (Info) (Enc-2)
 - 6 - Miami (4 - 165-592)
 - (1 - 162-341 KENNETH HANNA)
 - (1 - 92-353 [])

WFH:plm
(34)

C. C. Wick

b6
b7c

165-1990-
NOT RECORDED
6 JAN 25 1966

NOT RECORDED
Consolidated on

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

50 JAN 26 1966

JAN 27 1966

F B I

Date: 1/21/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Wick	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, MIAMI (165-592)(P)

RE: KENNETH HERBERT HANNA, Aka
ITAR; ITWI; FBW

b6
b7C

Re report of SA [] at Miami, 1/13/66.

Federal Grand Jury, Miami, indicted subject
1/20/66 on one count each, Title 18, U. S. Code, Sections
1084, 1343 and 1952. Bond continued at \$5,000.

Above furnished for information.

3 - Bureau
2 - New York (165-1344)
2 - Newark (165-1663)
1 - Miami
WFH:me
(8)

REC-11

165-1990 20

10 JAN 27 1966

b6
b7C

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

REC-68 165-1990-21

1/18/66

Airtel

b6
b7C

To: SAC's Newark (165-663)
Miami (165-592)

From: Director, FBI

KENNETH HERBERT HANNA, AKA;
ITWI; FBW

b6
b7C

Re Newark teletype 1/14/66, and letter 1/11/66.

This report supplements Butel 1/15/66.

Two latent fingerprints and one latent palm print value developed on New York Herald Tribune. Four latent fingerprints value developed on white telephone. Four latent fingerprints and one latent palm print value developed on pink telephone. No latents value developed on the other newspaper or the telephone directories, which you also submitted.

On basis information furnished, no fingerprints located for suspect [redacted] Fingerprints located for a [redacted] born [redacted] New Jersey; for an [redacted] born [redacted] New Jersey; and for Kenneth Herbert Hanna, FBI #739132, born 7/3/11, Elizabeth, New Jersey.

b6
b7C

Latent fingerprints not identical fingerprints either [redacted] or Hanna. No palm prints here.

b6
b7C

Evidence being returned separate.

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

RDF:ct

MAILED 3

JAN 18 1966

COMM-FBI

50 FEB 7 1966

MAIL ROOM ☒ TELETYPE UNIT ☐

DEC 18 1965
JAN 10 1966

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 1/13/66/11:00 am

Received: 1/13/66/cbg

Answer to: SAC, NEWARK

Reference No: 165-663

FBI File No:

Latent Case No: 165-1990-21
64617

Examination requested by: addressee

Copy to: Miami (165-592)

RE: KENNETH HERBERT HANNA, AKA.
ITWI; FBWDate of reference communication:
Specimens:

Letter 1/11/66 + Teletype 1/14/66

Two telephone directories for Jersey City, Bayonne & Hoboken

Two newspapers

Two telephone instruments - white telephone # is [redacted]

pink telephone # is [redacted]

Named suspect: [redacted]

dob [redacted]

Social Security [redacted]

b6
b7C*Herald Tribune is dated 12/17/65*EXPEDITIOUSLY EXAMINE

Result of examination:

Examination by:

Evidence noted by: *QW*b6
b7C

Newspapers processed + latents of value developed, sil. mtr, on front page + page 25 of Herald Tribune. Phones dusted + late of value dev. on both phones (black powder) 1/15 (Saturday) Ref

Telephone Directories processed minhyd - no late val - 1/15 Ref

Called Wire Room for C & I searches - no hpts located

Teletype prog. report sent 1/15. Half of 1 directory processed sil. mtr. 1/15 no late

Let. to block 1/17. Newspaper + telephones to photo 1/17 Ref

No late of val devel on phone directories 1/17 Ref

(over)

Examination completed

Time

Date

Dictated

Date

b6
b7C

1 lat pjt + 1 lat pp val on front page N.Y. Herald Tribune
" " " on page 25 N.Y. Herald Tribune.
4 lat ppts val dev. on white telephone
" " " + 1 lat pp val dev. on pink telephone

Lat ppts not @ ppts

born

N.Y.;

born

N.Y.;

1/18 Rdf

Kenneth Herbert Hanna, A.B. #739-132, born 7/3/11
Elizabeth, New Jersey. No pps here for either

Jkt for Hanna out of file + on locate (compleated master)
Cvid. being ret'd separate

b6
b7C

No pps in jkt for Hanna

FBI NEWARK

4-46 PM EST URGENT 1/14/66 E.J.C.

TO DIRECTOR AND MIAMI (165-592)

FROM NEWARK (165-663)

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 14 1966

TELETYPE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Wick	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

KENNETH HERBERT HANNA, AKA., ITWI; FBW.

b3 FRCP Rule 6(e)

b6

b7C

b6
b7C

RE NK TEL ONE THIRTEEN SIXTY SIX.

[REDACTED] AND HIS ATTORNEY [REDACTED]

[REDACTED] APPEARED BEFORE USDC JUDGE THOMAS F. MEANEY THIS
FOR RESOLUTION OF QUESTION OF CIVIL CONTEMPT RE [REDACTED]

[REDACTED] REQUESTED PERMISSION TO HAVE [REDACTED] RETURN
FGJ TO ANSWER QUESTIONS ATTEMPTING TO LIMIT SAME TO
BRIEF BASIS QUESTIONS ASKED YESTERDAY. JUDGE RULED [REDACTED]

[REDACTED] MUST ANSWER ALL QUESTIONS PROPOUNDED FOR WHICH HE
HAS PERSONAL KNOWLEDGE EITHER THROUGH EXPERIENCE OR CONVERSATION.

ARRANGEMENTS BEING MADE FOR [REDACTED] APPEARANCE BEFORE
FGJ JAN. NINETEEN OR TWENTY, NEXT.

DEPARTMENTAL ATTORNEY PETER R. RICHARDS NOTED THAT RESULTS
OF EXAMINATION BY LATENT FINGERPRINT SECTION ON EVIDENCE
SUBMITTED JAN ELEVEN, LAST, COULD BE HELPFUL.

LAB REQUESTED TO EXPEDITE EXAMINATION OF SAME.

JAN 26 1966

END

WA ... LRA

FBI WASH DC

MM >>>JLH

FBI MIAMI

TU

b3 FRCP Rule 6(e)

b6

b7C

CC-Mr. Conrad

sent 1/18/66
B.D.C.

REC-68

165-1990 21

9B
D.A.

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

R 57

DEFERRED 1-20-66 12:41 PM

TO DIRECTOR AND MIAMI
 FROM NEWARK 201615

KENNETH HERBERT HANNA, AKA. ITWI; FBW. OO MM. REMYTEL
 JANUARY 8 LAST.

[REDACTED] (NA) DETECTIVE BUREAU, UNION
 CITY, NJPD, ADVISED ON JANUARY 19 LAST THAT [REDACTED]

b6
 b7c

[REDACTED] IS REPRESENTING [REDACTED]
 [REDACTED], WHO WERE ARRESTED AND CHARGED
 WITH BOOKMAKING ON JANUARY 8 LAST, ON BASIS OF BOOKMAKING
 OPERATION UNCOVERED BY BUAGENTS AT [REDACTED]

[REDACTED] ADVISED THAT [REDACTED] HAS REQUESTED A
 PRELIMINARY HEARING WHICH HAS BEEN SCHEDULED IN LOCAL
 MAGISTRATE'S COURT, UNION CITY, NJ, FOR JANUARY 26 NEXT.

[REDACTED] INDICATED A HUDSON COUNTY PROSECUTING ATTORNEY

12
 6 FEB 3 1966

REC-13

105-1990
 14 JAN 25 1966

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

D E C O D E D C O P Y

☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

PAGE TWO FROM NEWARK 201615

WOULD ASSIST TOWN ATTORNEY IN THIS MATTER AND ADVISED THAT

SA [REDACTED] WOULD BE NEEDED TO TESTIFY AT THIS HEARING.

SA [REDACTED] WILL TESTIFY AT PRELIMINARY HEARING ON JANUARY 26
NEXT, UACB.

b6
b7c

RECEIVED: 12:58 PM LJT

b6
b7c

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

AIS

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

R-66

URGENT 1-21-66 12:39 PM

TO DIRECTOR AND MIAMI

FROM NEWARK 211615

KENNETH HERBERT HANNA, AKA., ITWI; FBW.

b3 FRCP Rule 6(e)
 b6
 b7C

[REDACTED] NOW REPRESENTED BY ATTORNEY

[REDACTED], APPEARED BEFORE FGJ JANUARY 20 AND

DEPARTMENTAL ATTORNEY RICHARDS ADVISED BY [REDACTED]

THAT [REDACTED] IS PREGNANT AND IN
 ADDITION HAS [REDACTED] AND IF CALLED BEFORE FGJ

WOULD REPEAT INFO FURNISHED BUAGENTS JANUARY 8, LAST.

14 JAN 25 1966

INVESTIGATION CONTINUING.

RECEIVED: 1:15 PM HL

CORRECTED: 2:38 PM HL

1966

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

1/26/66

Airtel

b6
b7C

TO: SAC, MIAMI (165-592)
FROM: Director, FBI (165-1990)
KENNETH HERBERT HANNA
ITAR; ITWI - FBW

Reurlet 1/17/66.

One latent palm print of value appears on lift marked as exhibit #12. The latent impressions on the other 14 lifts were of no value for comparison purposes and these lifts were destroyed.

On basis information furnished a fingerprint record was located for a Francis Earl Conner, FBI #3 301 154, Baltimore, Maryland, PD #33560, 43 years old in 1948. No palm prints in this record for comparison with latent palm print and no palm prints here for subject Kenneth Herbert Hanna, FBI #739 132.

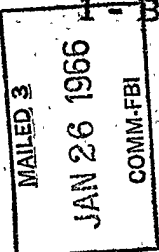
The lift of value enclosed.

REC- 67 165-1990-24

Enclosure

1 - Baltimore

JAN 27 1966



RDF:pml
(5)

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 1-20-66 8:00 a.m.

Reference No: 165-592

Received: 1-19-66 KM

FBI File No: 165-1990 24

Latent Case No: 64617

Answer to: SAC, MIAMI

Examination requested by: addressee

Copy to: Baltimore

RE: KENNETH HERBERT HANNA
ITAR; ITWI - FBW

Date of reference communication: letter 1-17-66

Specimens:

15 cards bearing 15 transparent lifts (numbered, exhibits
1 through 15)

Named subject:

KENNETH HERBERT HANNA (FB# 739132)

Named suspect:

FRANCIS EARL CONNER - Baltimore, Md. - Wry, Francis Earl
Conner, FB# 3301154, 43 yrs old in 1948, Balto.
ID# 33560

Let to Block 1/21

Result of examination:

Examination by:

Evidence noted by:

b6
b7cLift, (exhibit #12) to photo 1/24 Rdf - the other lifts
no val.

Called C.D. 1/24 Rdf

1 lat p p val on exh #12.

No p p s here for Hanna or Conner, above 1/25 Rdf
The 1 lift of value enclosed - the others destroyed

Examination completed

Time 11:30 AM, 1/25/65

Date

Dictated

Date 1/25/65

Airtel 1-26-66 R.D. G.W.

DIRECTOR, FBI
(ATTN: LATENT FINGERPRINT SECTION)

1/17/66

SAC, MIAMI (165-582) (P)

BENNETH HERBERT HANNA
ITAR; ITVI - FEU

OO: Miami

Re Miami airtel to Bureau dated 12/27/65, copy
to Baltimore, and Miami teletype to Bureau dated 1/8/66.

At the time of HANNA's arrest by Agents at
Miami, on January 8, 1966, a box, generally referred to
as a "blue box", but which actually is black in color,
3 3/4" wide x 6 1/4" long by 1 1/4" high, was obtained
in HANNA's apartment. This box and the ear piece attached
to the box, were processed for latent fingerprints.
Enclosed for the Latent Fingerprint Section, find the
fifteen (15) lifts, 11 of which were obtained from the
box and four from the ear piece.

This box was located in HANNA's apartment,
#2 at 2250 NE 170th Street, North Miami Beach, Fla.
At the time of HANNA's arrest, FRANCIS EARL CONNER,
who stated his residence was 1260 Windemere Avenue,
Baltimore, Md., was present in the apartment. The
Latent Fingerprint Section is requested to attempt to
locate a fingerprint record on FRANCIS EARL CONNER, who
appears to be a race track tout and may have an arrest record
and compare his fingerprints against any identifiable
latents submitted herewith.

The Baltimore Office is requested to check
their indices and conduct any additional plausible
investigation in order to obtain background data on
CONNER, determine any arrest record he may have, and

- 2 - Bureau (Enc. 15) (RM)
- 2 - Baltimore
- 1 - Miami
- JPL:psb
- (5)

Airtel 1-26-66 [Signature]

[Handwritten initials]

MI 165-592

promptly advise the FBI Latent Fingerprint Section if a record of CONNER being fingerprinted for either criminal violation or for any other purpose is ascertained.

Additional background data on CONNER will be forwarded to the Latent Fingerprint Section by Miami as it is developed.

F B I

Date: 1/25/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
 FROM: SAC, BALTIMORE (165-428) RUC
 SUBJECT: KENNETH HERBERT HANNA, aka
 ITAR; ITWI; FBW
 OO: Miami

b6
b7C

Re report of SA [redacted] dated 1/13/66 at
 Miami and Miami letter to Bureau dated 1/17/66.

Enclosed for Miami are 25 copies of an FD 302 reflecting
 information from files of the C & P Telephone Company of
 Maryland which files were made available by [redacted]

b6
b7C

Also enclosed are 25 copies of an Investigative
 Insert of SA [redacted] One copy each of above
 information is enclosed for the Bureau.

b6
b7C
b7D

Files of the Baltimore Office reflect that one, [redacted]
 [redacted] (protect identity at his request)
 advised SA [redacted] during the course of
 another investigation, that FRANCIS E. CONNER had been known
 to him as a confidence man and "tout". He said CONNER had been
 barred from every race track where he is known.

The above information taken from report of SA [redacted]
 dated 2/19/58 at Baltimore also reflects that files of the
 Credit Bureau of Baltimore, Inc., as of 1/21/58 indicated
 FRANCIS E. CONNER [redacted] were then residing at
 1200 Windemere, Baltimore, Md. [redacted] filed for divorce in
 1950 but the divorce proceedings were later dropped. CONNER,
 according to these records, had worked at various race tracks
 throughout the country and reportedly worked as a jockey's
 agent since 1938. He was listed as a printer by trade and a
 former address of 903 McKewin Avenue, Baltimore was given.

b6
b7C

3 - Bureau (Enc. 2)
 2 - Miami (Enc. 50) (165-341)
 1 - Baltimore
 MMW:jtk

REC-18

165-1990-25

16 JAN 26 1966

(6)

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

50 FEB 7 1966

BA 165-428

For your confidential information, [REDACTED]

[REDACTED] advised 1/18/66 that [REDACTED]

b6
b7C
b7D

For your further information, [REDACTED]

For information of the Bureau, Latent Fingerprint
Section, the Baltimore PD had no FBI record for [REDACTED]
[REDACTED] on record.

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/25/66Records of the
 reflect the following:b6
b7C
b7D

On 1/18/66 at Baltimore, Maryland File # BA 165-428
by SA jtk Date dictated 1/25/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

165-1990-25

BA 165-428

MMW:jtk

2

b6
b7C
b7D

The above should not be made a matter of public record
without the issuance of a subpoena duces tecum directed to the
attention of [REDACTED]

[REDACTED]

BA 165-428

MMW:jtk

1

DATE: JANUARY 24, 1966
NAME: SA [REDACTED]
AT: BALTIMORE, MARYLAND

On October 12, 1965, Lt. [REDACTED] Racket Squad, Baltimore, Maryland Police Department advised that records of his office contain no information identifiable with FRANCIS E. CONNER.

On January 24, 1966, Lt. [REDACTED] advised he believes he knows of FRANCIS E. CONNER as an individual who has been engaged in gambling in the Baltimore area for a number of years.

On October 12, 1965, files of Central Records, Baltimore, Maryland Police Department were reviewed and they reflected the following concerning FRANCIS E. CONNER:

<u>DATE</u>	<u>NAME</u>	<u>CHARGE</u>
2/10/51	FRANCIS CONNER 1200 Windemere Avenue	Assault in striking Two charges - one dismissed, one 30 days in jail, suspended Disturbing peace, \$10.00 and costs and released.
11/24/45	FRANCIS CONNER 1200 Windemere Avenue	Assault and striking \$50.00 and costs and released.
11/29/43	FRANCIS CONNER 1200 Windemere Avenue	Disturbing Peace - Dismissed
9/19/40	FRANCIS E. CONNER 903 Mc Kewin Avenue	Disorderly Conduct \$5.00 and costs and released.

b6
b7c

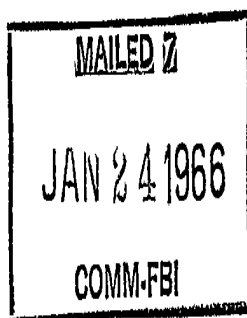
ENCLOSURE

165-1990 - 25

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: 1/20/66
SAC,
TO: Newark
(165-663)

Re: KENNETH HERBERT HANNA, AKA;
ITWI; FBW



~~RECEIVED~~
718611

Invoice of Contents

2 newspapers
2 telephones
2 telephone directories
1 mail cover

☐ Crypt.-Trans.
☐ Document
☐ Electronics
☐ P & C
☒ LFPS

Special Instructions:

Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
initial invoice; return to Section checked in block; after
initialing in block, invoice to be placed in administrative file.

FBI File No. 165-1990

1/18/66 LC 64617

REGISTERED

329
54 FEB 8 1966

F B I

Date: 2/4/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
FROM: SAC, MIAMI (165-592) (P)
RE: KENNETH HERBERT HANNA, aka
ITAR; ITWI; FBW

OO: Miami

HANNA arraigned USDC, Miami, 2/4/66, and pled not
guilty to charges. Bond continued at \$5,000.

Court authorized 60 days for filing of motions.

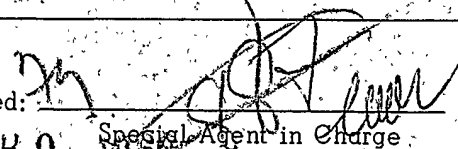
3 - Bureau
1 - New York (Info)
1 - Miami
WFH:amc
(5)

REC-17

165-1990-26

20 FEB 5 1966

C C- Wick

Approved: 

Special Agent in Charge

Sent

M

Per

55 FEB 9 1966

b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990) DATE: 1-28-66
(ATTN: Latent Fingerprint Division)

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, Aka
ITAR; ITWI - FBW

OO: MIAMI

b6
b7C

Re report of SA [REDACTED] dated 1-13-66,
at Miami.

Enclosed herewith is one plastic envelope containing 7 airline tickets which were seized in the search of the subject's apartment conducted on 1-8-66, pursuant to a search warrant for the premises, Apartment 2, 2290 Northeast 170th Street, North Miami, Florida.

All of the airline tickets which are described below and which are transmitted herewith have had the auditor's coupon removed. These tickets all were purchased with American Express Credit Cards and are good for flight passage on the airlines involved:

1. Northeast Airlines ticket No. 011410779723 in the name of [REDACTED] purchased in New York City on 8-10-65
2. Northeast Airlines ticket No. 011410779722 in the name of [REDACTED] purchased in New York City on 8-10-65
3. Eastern Airlines ticket No. 007101113248 in the name of [REDACTED] purchased in Atlanta, Georgia, on 11-18-65
4. National Airlines ticket No. 010112795501 in the name of [REDACTED] purchased in Washington, D. C., on 12-17-65

b6
b7C

b6
b7C

③ - Bureau (Encs. 7) (RM)
1 - Miami
WFH:eb
(4)

REC-13

165-1990-27

FEB 1 1966

T.E.P.
JAN 28 1966

Sealed
ENCLOSURE



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SPECIMENS DETACHED IN LHM
2-3-66 RMR
LC# 64617

39

RECORDED
INDEXED

MM 165-592

5. National Airlines ticket No. 010112795509 in the name of [redacted] purchased in Washington, D. C., on 12-17-65 b6 b7C
6. Eastern Airlines ticket No. 007112254567 in the name of [redacted] purchased at Chicago, Illinois, on 11-13-65
7. Eastern Airlines ticket No. 007101113245 in the name of [redacted] purchased in Atlanta, Georgia, on 11-13-65.

[redacted] American Express Company, Miami, Florida, advised that 3 of the American Express Credit Cards used in the purchase of at least 3 of the above airline tickets have all been reported stolen or not received by the person to whom the credit card is issued. [redacted] further advised that these 7 tickets are only a few of the tickets purchased with these stolen credit cards. b6 b7C

From the above it appears that the subject may have purchased these 7 airline tickets at a discount from some one who was in possession of stolen credit cards.

It is requested that a latent fingerprint examination be made of the 7 enclosed tickets and that the results of this examination be forwarded to Miami.

The Miami Office does not at this time have any suspects as to whom HANNA obtained these tickets from, however, it is possible that logical suspects in this regard may subsequently be developed during the gambling investigation of HANNA.

MM 165-592

The 7 tickets should be handled as evidence.

2-10-66 mg

MAR 29 '66

3/1/66

165-1990-27

LC 64617

1/28/66 (Date of incarc. at Miami)

Rel

6 Photos

Kenneth Herbert Hanna,
aka;
IDR; 2JW2-FBW

8 fingerprints
1 palm print

165-1990-27

Photos of latents

Disc
L 88c

165-1990-27

010112795501

to Coast

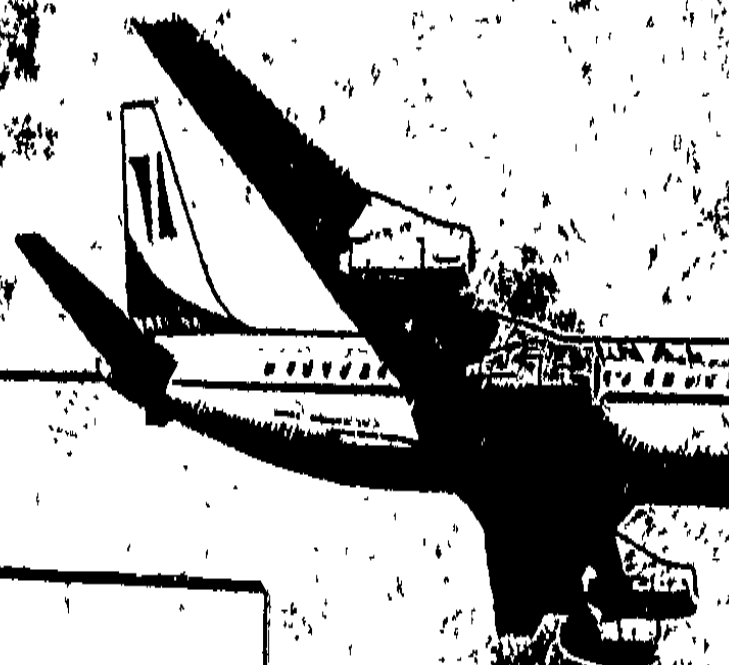
LC 64617

inscribed on outside
front cover of National
Airlines ticket #010 112 795 501

LC 64617

165-1990-27

0101127



Coast to

1-267

LC 64617

ONE INCH

0

1

misycl. - on outside front
cover of National Airlines
ticket # 010 112 795 509

LC 64617

165-1990-27



Minkyd. - on outside front
cover of National Airlines
ticket # 010 112 795 501

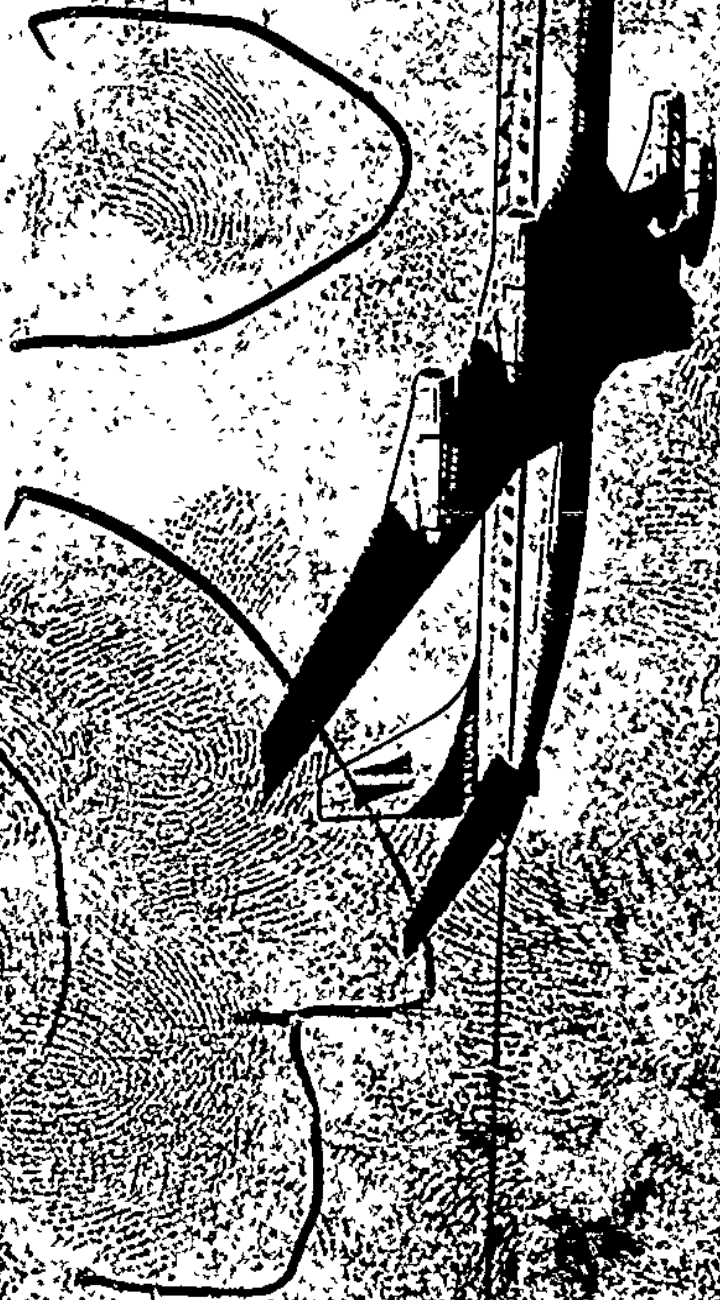
LC 64617

165-1990-27

6194907

ADLINE FORM

010 112 795 5



ast to Coast

Dev. air netr. on Nat.
Airline Ticket # 010 112 795501

LC 64617

165-1990-27

COAST TO



Wheeler

LC 64617

ONE INCH

0

1

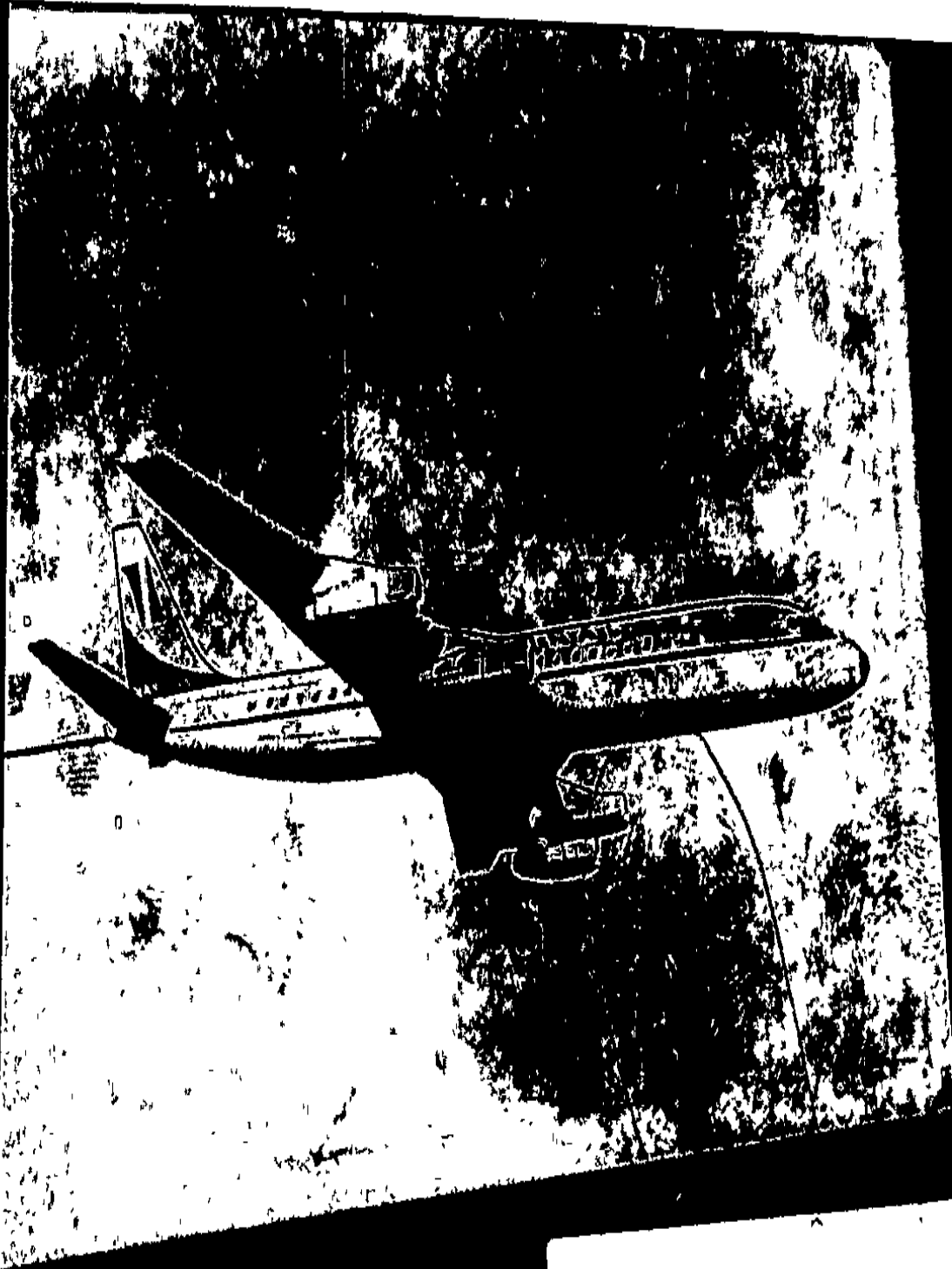
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

1-267

sil. mtr.
Nat. airline ticket
01011279550/

LC64617

165-1990-27



1-267

LC 64617

Winkyd. — on National
airlines ticket # 010 112 795 509
(on outside front cover)

LC64617

165-1990-27

F B I

Date: 1/27/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
 ATTENTION: IDENTIFICATION DIVISION
 LATENT FINGERPRINT SECTION

FROM: SAC, NEWARK (165-663)

KENNETH HERBERT HANNA, aka.
 ITWI; FBW

RE: Newark letter 1/11/66
 Bureau airtel 1/18/66

On 1/24/66, [redacted] aka. [redacted] was interviewed since he is [redacted]. It was on the third floor of this address where an individual subsequently identified as [redacted] was located on 1/8/66.

[redacted] stated that based on [redacted] departure from the apartment on 1/8/66, in the company of members of the Union City Police Department, and his failure to return to the apartment [redacted].

[redacted] he had already removed the kitchen and bedroom furniture. He offered to make the premises available for inspection.

Accompanied by [redacted] the interviewing Agents visited the apartment whereupon [redacted] gave the items listed below to the Agents, stating that he intended to dispose of them.

- A. 2 New Jersey Bell Telephone Directories for North Hudson area
- B. 1 Plastic seal from bottle of J&B Scotch Whiskey
- C. 2 Tumblers; 1 plastic, 1 glass

ENCLOSURE ATTACHED

- 4 - Bureau (1 - Package)
- 1 - Miami (165-592) (info)
- 2 - Newark

PW:hds
 (7)

b6
 b7C

Approved: _____

Special Agent in Charge

Sent _____

Per _____

REC 1
 Reg # 433764

JAN 28 1966

b6
 b7C

NK 165-663

- D. 1 Match box, (contents removed)
- E. 1 Cigar Wrapper (LaCorona Director)
2 Dry cleaning stubs numbered 1/935 and 2/407
- F. 2 pieces of cardboard with strips of plastic electricians tape
- G. 2 Newspapers dated 12/24/65;
1 - New York Herald Tribune
1 - Hudson Dispatch

The Identification Division is requested to examine the above-listed items for latent fingerprints and to compare any found with those referred to in re Buairtel. Departmental Attorney PETER R. RICHARDS has indicated that evidence that the same person had been present at both [redacted] and [redacted] would strengthen the argument for an indictment of [redacted]

Please expedite examination.

b6
b7C

Newark Airtel 1/27/66

2 Photos

878

1-8-66

165-1990

Kenneth Herbert HAMM, aka.
ITWI; FBW.

\$pp

165-1990

Photos lat. pp

(P FBI 647-210-F)

LC# 64617

Div I
Jou

878



165-1990-28

b6
b7C

*Left
Palm
print*

61-107-17

CASE NO.

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

0
ONE INCH
1

1-267

SN print

Inside portion of

"Diamond" match box

Kitchen matches

165-1990

LC#64617

1-267



FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO.

62-117

0-4a (Rev. 11-19-64)

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

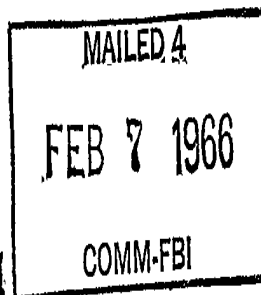
DATE: **2-7-66**

Re: **KENNETH HERBERT HANNA, AKA;
ITWI - FBW**

TO: **SAC, Newark
(165-663)**

Invoice of Contents

**Telephone directories
Plastic seal
Two tumblers
Matchbox
Cigar wrapper
Dry cleaning stubs
Two pieces of cardboard
Two newspapers**



☐ Crypt.-Trans.
☐ Document
☐ Electronics
☐ P & C
☒ LFPS

Special Instructions:

Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
initial invoice; return to Section checked in block; after
initialing in block, invoice to be placed in administrative file.

FBI File No. **165-1990**

2-3-66

LC 64617

**173
57 FEB 11 1966**

715885

2-3-66

Airtel

b6
b7C

To: SAC's Newark (165-663)
Miami (165-592)

From: Director, FBI (165-1990)-28

KENNETH HERBERT HANNA, AKA;
ITWI; FBW

ReNKairtel 1-27-66, submitting telephone directories; plastic seal;
two tumblers; matchbox; cigar wrapper; dry cleaning stubs; two pieces of
cardboard; and two newspapers.

One latent palm print developed on inside portion of matchbox.
No latent impressions of value developed on remaining specimens.

Basis of information previously furnished, no fingerprint record
located for [redacted] No inked palm prints here for other in-
dividuals previously named for comparison, per Buairtel to Newark Division
dated 1-18-66.

b6
b7C

All submitted items being returned under separate cover.

JTB:sem
(6)



Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

50 FEB 10 1966 MAIL ROOM TELETYPE UNIT

FEB 3 3 10 PM '66

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 2-1-66 11:30 a.m.

Reference No: 165-663

Received: 2-1-66 KM

FBI File No: 165-1990-28

Latent Case No: 64617

Answer to: SAC, NEWARK

Examination requested by: addressee

Copy to: Miami (165-592)

RE: KENNETH HERBERT HANNA, aka
ITWI; FBW

Date of reference communication: Airtel 1-27-66

Specimens:

- 2 telephone directories
- 1 plastic seal from bottle
- 2 tumblers
- 1 match box (SN)
- 1 cigar wrapper
- 2 dry cleaning stubs
- 2 pieces of cardboard
- 2 newspapers

Named suspect:

UTL fgs rec per Buantel to NK 1-18-66

b6

b7C

NOTE: Please expedite examination.Result of examination:
Registry #433764Examination by: Evidence noted by: *[Signature]*

0-No Lat. of value (pounder; sn) 2/1

Portion of match box to photo (sn) 2/1

1 lab. pp inside portion of match box

No lat. prints of value dev. on directories (sn) 2/1-2/66 JTB

Specimens ret. sep. cover; No pp's prev. named suspects per Buantel 1/18/66 to NK

Airtel 2/3/66

Examination completed

Time

2/2
Date

Dictated

Date

Per SFL

1 - Mr. Griffith
1 - Mr. Webb

SAC, Miami (165-592)

2/4/66

REC-22

Director, FBI (165-1990) 29

KENNETH HERBERT HANNA, aka
ITAR; ITWI - FBW
OO: Miami

Reurlet 1/31/66 requesting advice concerning method of transporting to the Laboratory for examination charred paper recovered in the search of the suspect's apartment 1/8/66.

Based on your description of this charred paper evidence, it appears likely that this evidence would become fragmented if transported by one of the usual methods recommended. For this reason, it is the recommendation of the Laboratory that this evidence be held in Miami until it can be hand-carried to the Laboratory. This can be done either by the next Agent of your office coming to Washington or by the next FBI Laboratory Agent returning to Washington from your office.

The above evidence can best be packaged to be hand-carried by securing the bowl containing the charred paper to the bottom of a corrugated cardboard box and then sealing the box with no packing material around the evidence. The packaging of the charred paper between layers of cotton sometimes used for such evidence is not being recommended since it is likely this or any packing material used would tend to fragment the large piece of charred paper which you described. Depending on the size of the bowl and the position of the charred paper in the bowl, consideration should be given to ballooning a plastic bag over the bowl so that the evidence could not move far in case of accidental jarring.

Storage of the charred paper in an atmosphere of high humidity prior to the time it is transported to the Laboratory is also recommended. This can be done by placing the bowl containing the charred paper in a larger container having a layer of water in the bottom of that container. The larger container can then be sealed with a tight cover such as a piece of glass or plastic.

Enc.

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☒ TELETYPE UNIT ☐

Letter to Miami

Re: Kenneth Herbert Hanna, aka
165-1990

Additional information concerning the handling of charred paper evidence is contained in the reprint from the June 1964 FBI Law Enforcement Bulletin entitled "Charred Documents Evidence or Ashes?" A copy of this reprint is furnished you herewith.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990) *NR*
(ATTN: FBI LABORATORY)

DATE: 1-31-66

FROM : *7/12* SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, Aka
ITAR; ITWI - FBW

OO: MIAMI

In connection with the search of the subject's apartment on 1-8-66, a bowl of ashes was located and seized pursuant to the search warrant. The ashes in this bowl appear to be one sheet of paper that was crumbled slightly and then burned. The ashes are generally in one piece and have not crumbled into fragments. It is believed that possibly the sheet of paper prior to the burning contained handwriting notes relating to HANNA's gambling operation.

The Miami Office has these ashes as originally found in the bowl, however, it is believed that should they be packed and shipped they would crumble in transit. The Laboratory is requested to advise the Miami Office if it is possible to restore any writing on these ashes to the point where it could subsequently be used in evidence, and if such writing did occur and should this restoration be possible, the best manner to transport the ashes to the Laboratory.

1cc SEC
3 - Bureau
1 - Miami
WFH:eb
(4)

REC-22

165-1990-29

8 FEB 2 1966



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537



REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

YOUR FILE NO.

165-592

FBI FILE NO.

165-1990

LATENT CASE NO.

64617

February 10, 1966

TO: SAC, Miami

 RE: KENNETH HERBERT HANNA, AKA;
 ITAR - ITVI - FBW

REFERENCE:

Letter 1-28-66

EXAMINATION REQUESTED BY:

Miami

SPECIMENS:

 Two National Airlines tickets, numbers 010 112 795 501
 and 010 112 795 509, and five other airline
 tickets

Six latent fingerprints and one latent palm print
 of value developed on ticket #010 112 795 501. Two latent
 fingerprints of value developed on ticket #010 112 795 509.
 No latent impressions of value developed on the other
 specimens.

The latent fingerprints not identical with finger-
 prints of Kenneth Herbert Hanna, FBI #739132, or Francis
 Earl Conner, FBI #3301154, who may be the Francis Earl
 Conner previously named as a suspect in this case. No palm
 prints here for these individuals.

Specimens enclosed.

EX-112

REC-9

4 FEB 11 1966

 Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Enc. (7)

RDE:tmb

(4)

John Edgar Hoover, Director

 THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY
 MAIL ROOM ☐ TELETYPE UNIT ☐

60 FEB 17 1966

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 2-3-66 11:00 a.m.

Reference No: 165-592

Received: 2-3-66 KM

FBI File No: 165-1990-30

Latent Case No: 64617

Answer to: SAC, MIAMI

Examination requested by: addressee

Copy to:

RE: KENNETH HERBERT HANNA, AKA
ITAR; ITWI- FBW

Date of reference communication: letter 1-28-66

Specimens:

7 airline tickets — 2 National, 3 Eastern, 2 Northeast

Named subject:
KENNETH HERBERT HANNAb6
b7C

Let to block 2/7

Result of examination:

Examination by:

Evidence noted by:

No latex val dev. sock.

" " " " minkyd or sil. nitr. except the 2
National airlines ticket 12/7 Rff.

The 2 National tickets to Photo (minkyd) 2/7 Rff.

No additional latex dev. silver on 1 National ticket 2/8.

Ticket # 010 112 795501 back to Photo (sil. nitr.) 2/8 Rff.

3 lat fpts + 1 lat sp val dev. minkyd on # 010 112 795501

- 2 lat fpts val dev. minkyd on # 010 112 795 509 Rff.

3 additional lat fpts val, sil. nitr. on 010 112 795 501. 2/8 (over)

Examination completed 2:12 PM.

Date

Dictated

Date

Ans. 2-10-66 RFF

Time Date

Date Rff

Lat fpts not @ fpts Kenneth Herbert Hanna,
FBI# 739132 or Francis Earl Conner, FBI#
3301154 who may be @ Francis Earl Conner,
prev. named suspect. No pps here

Specimens enclosed.

Lat fpts not @ Top Jan 2/90 ff

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN MIAMI	DATE FEB 16 1966	INVESTIGATIVE PERIOD 1/4/66 - 2/2/66
TITLE OF CASE KENNETH HERBERT HANNA aka; NATHAN MODELL aka		REPORT MADE BY [REDACTED]	TYPED BY dbf
		CHARACTER OF CASE ITWI	

REFERENCES:

New York report of SA [REDACTED] 1/14/66.
 Miami report of SA [REDACTED] 1/13/66.
 Miami Teletype to NY, 1/28/66.
 New York airtel to Miami, 1/28/66.

b6
b7C

- P -

ADMINISTRATIVEb2
b7D
b6
b7C

On [REDACTED]
 [REDACTED] NAT MODELL a day or so after MODELL was arrested by the
 FBI. [REDACTED] MODELL and [REDACTED]
 [REDACTED] MODELL is out
 of town.

In this regard, he stated he heard the FBI went into
 [REDACTED] and that somehow [REDACTED]
 and had [REDACTED] and consequently, the

b6
b7C
b7D

PENDING CASE OVER ONE YEAR: No PENDING PROSECUTION OVER 6 MOS.: No

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 3-Bureau 2-USA, SDNY 3-Miami (165-592) (1-USA, Miami) 1-Newark (Info) 2-New York (165-1344)		165-1990-31 REC-111	
<i>Left to AM NARDONE, et al, re 2/23/66 Longway</i>		11 FEB 17 1966	
Dissemination Record of Attached Report		Notations	
Agency		<i>STAR SECT</i> <i>STAR SECT</i>	
Request Recd.	CC, AAC, Criminal Division,		
Date Fwd.	Organized Crime		
How Fwd.	Room 2524		
By			

66 FEB 28 1966

NY 165-1344

b6
b7C
b7D

ADMINISTRATIVE CONT'D

FBI found nothing incriminating. He stated he does not know any details concerning the fact that [REDACTED] and does not know how this came about. He stated it is possible that [REDACTED]

He stated that [REDACTED] KEN HANNA of Florida, who was also arrested by the FBI. He stated that [REDACTED] is another individual who is [REDACTED] with HANNA. [REDACTED] and is actually working for [REDACTED]

b6
b7C
b7D

He stated that in the past week, [REDACTED] along the same lines as before. He stated [REDACTED] KEN HANNA and that they are [REDACTED]

b6
b7C
b7D

Informant advised he has heard the name [REDACTED] but cannot recall having met him.

b6
b7C
b7D

Lengthy investigative period covered in this report is due to investigation incorporated into this report, which was unavailable in prior report.

LEAD

NEW YORK

AT NEW YORK, NEW YORK. Will follow and report prosecution.

COVER PAGE

- B* -

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

2-USA, SDNY
1-USA, Miami

Report of:

b6
b7C

Office: New York, New York

Date:

FEB 16 1966

Field Office File #:

165-1344

Bureau File #:

Title:

KENNETH HERBERT HANNA;
NATHAN MODELL

Character:

INTERSTATE TRANSMISSION OF
WAGERING INFORMATION

Synopsis:

Subscribers to telephones called from Miami numbers 945-9655 and 945-9723 set out. Numbers called from MODELL's room, 507, Hotel Salisbury, set out. Xerox copies of papers obtained from MODELL and search of his room enclosed. AUSA FAWER advised hearing scheduled for 1/19/66 for MODELL adjourned pending presentation of evidence to Grand Jury, Miami, Florida. [redacted] advised he sent two cartons of silverware to KENNA HANNA at request of one [redacted]

b6
b7C

- P -

DETAILS:

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/6/66

[redacted] Salisbury Hotel,
123 West 57th Street, New York City, advised that NAT
MODELL is presently residing in Room 507 of the above
hotel and has been residing there ever since November 14,
1963. [redacted] furnished the following toll calls charged to
MODELL during the months of November and December, 1965:

b6
b7C

November 1
November 1
November 2
November 3
November 5
November 7
November 11
November 11
November 13
November 16
November 19
November 21
November 21
November 23
November 25
November 27
December 1
December 2
December 3
December 4
December 7
December 9
December 11
December 13
December 15
December 16
December 18
December 20
December 22
December 24
December 28
December 30

b6
b7C

On 1/4/66 at New York, New York File # NY 165-1344 - 20
by SA [redacted] ms [redacted] Date dictated 1/5/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

1Date 1/7/66The records of the [redacted]
revealed [redacted]

[redacted] set out below:

b6
b7C
b7D

The above information is not to be made public
except in the usual proceeding following the issuance of a
subpoena duces tecum, which should be directed to [redacted]
[redacted]

b6
b7C
b7D

On 1/6/66 at New York, New York File # NY 165-1344 *19*
by SA [redacted] /ms Date dictated 1/7/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NY 165-1344

The following consists of Xerox copies of each page of a telephone address book taken from left pants pocket of NATHAN MODELL, incidental to his arrest and search of his person:

2774
1/8/66
Left pants pocket
of Neil Madden

Tel-address

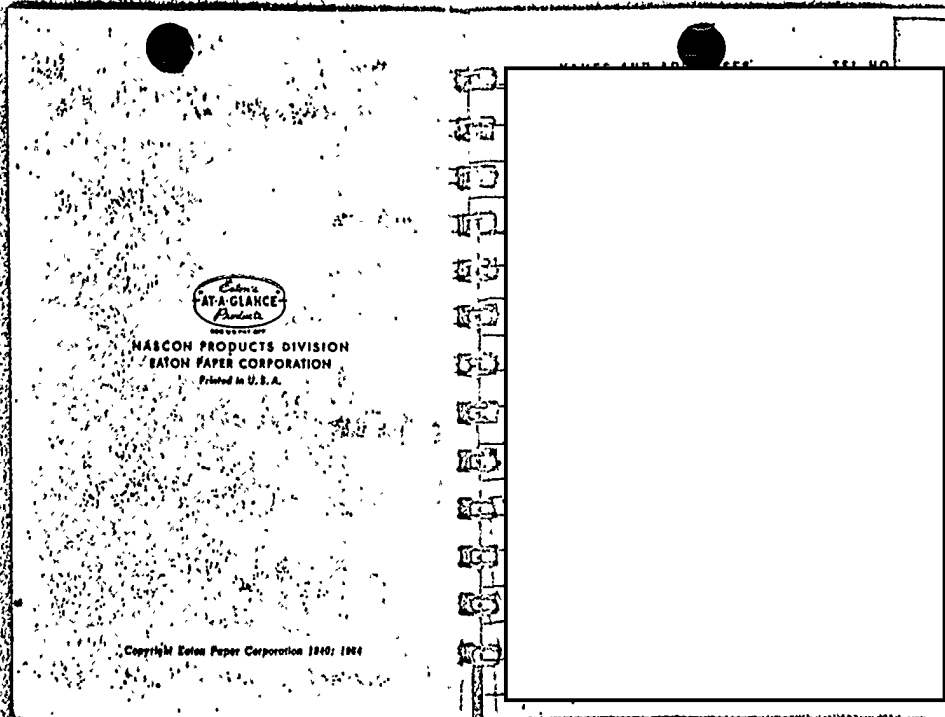
JR.

1/9/66

Neil Madden

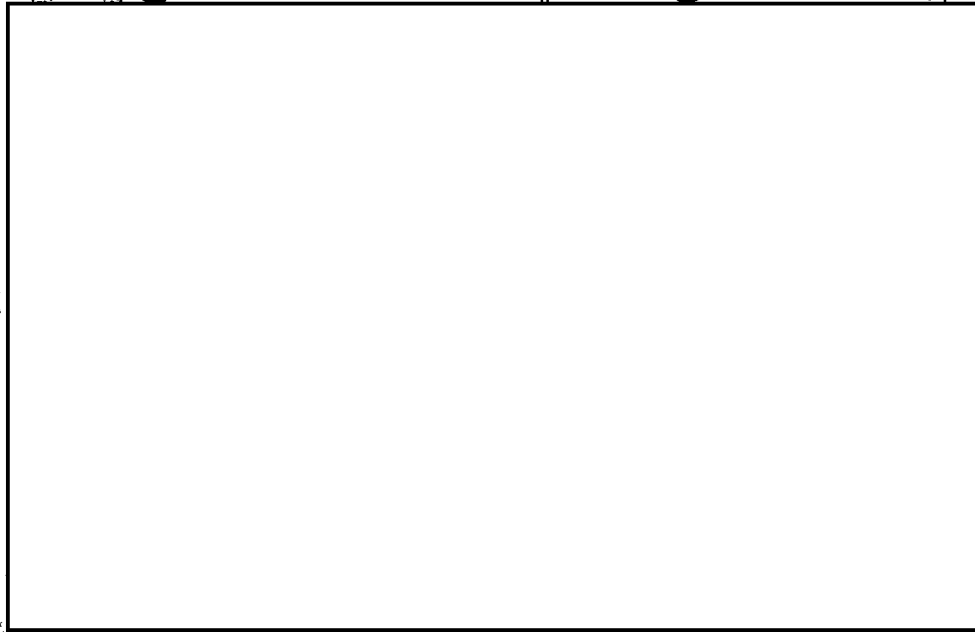
address

JR.



b6
b7c

ACCESS	
WFL	9
809	77
802	80
1003	100
LA#	76
66	16



CONFIDENTIAL

b6
b7C

SUBSCRIBER

NAME

ADDRESS

CITY

STATE

ZIP

PHONE

TELETYPE

FAX

EMAIL

DATE

TIME

BY

INITIALS

SIGNATURE

DATE

TIME

BY

INITIALS

SIGNATURE

DATE

TIME

BY

INITIALS

AND ADDRESS

NAME

ADDRESS

CITY

STATE

ZIP

PHONE

TELETYPE

FAX

EMAIL

DATE

TIME

BY

INITIALS

SIGNATURE

DATE

TIME

BY

INITIALS

SIGNATURE

DATE

TIME

BY

INITIALS

b6
b7C

NY 165-1344

The following consists of Xerox copies of each page of a weekly basketball and hockey schedule published by Multiple Sports Service, Miami, Florida, which was obtained from inside coat pocket of NATHAN MODELL, incidental to his arrest and search of his person:

5-7-78
1/8/66
Article
Sports Illustrated
of Sports Illustrated

WEEKLY BASKETBALL AND HOCKEY SCHEDULE

COLLEGE AND PRO BASKETBALL

25c

25c

C 1/8/66

All times are Eastern Standard Time. Unless neutral floor is specified, bottom team is home team
Published by MULTIPLE SPORTS NEWS SERVICE, 1090 N.E. 79th St., Miami, Florida 33138, Plaza 4-0637

Volume 4

GAMES FOR WEEK ENDING SUNDAY, JANUARY 9, 1966

Number 6



1965 CONSENSUS ALL-AMERICA

The Consensus All-America is composed of those players who appeared most often on nationally circulated All-America squads. **FIRST TEAM:** Top to bottom, left column—CAZZIE RUSSELL, 6-5 Michigan junior; GAIL GOODRICH, 6-1 UCLA



senior. Middle—BILL BRADLEY, 6-5 Princeton senior. Right column—RICK BARRY, 6-7 Miami (Fla.) senior; FRED HETZEL, 6-8 Davidson senior. **SECOND TEAM:** (not pictured): WAYNE ESTES, 6-6 Utah State senior; DAVE STALLWORTH, 6-7 Wichita State senior; BILL BUNTIN, 6-7 Michigan senior; CLYDE LEE, 6-9 Vanderbilt junior; DAVE SCHELLHASE, 6-4 Purdue junior.



INDIVIDUAL SCORING LEADERS

	G	FG	FT	Pts.	Avg.
Barry, Miami (Fla.)	26	340	293	973	37.4
Estes, Utah State	19	252	137	641	33.7
Bradley, Princeton	29	306	273	885	30.5
Schellhase, Purdue	24	249	203	704	29.3
Thomas, Xavier (O.)	14	166	73	405	28.9
Robinson, Wyoming	26	267	167	701	27.0
Austin, Boston Col.	25	231	211	673	26.9
Hetzl, Davidson	26	273	143	680	26.5
Beasley, Texas A&M	24	250	119	619	25.8
Russell, Michigan	27	271	152	694	25.7
Cunningham, No. Caro.	24	237	135	609	25.4
Finkel, Dayton	29	293	147	733	25.3
Lloyd, Rutgers	24	237	127	601	25.0
Stallworth, Wichita St.	16	153	94	400	25.0
Goodrich, UCLA	30	277	190	744	24.8
Somerset, Duquesne	24	218	157	593	24.7
Isaac, Iowa	23	210	139	559	24.3
Keiwin, Centenary	24	219	142	580	24.2
Leonard, Wake Forest	27	250	145	645	23.9
Malaise, Texas Tech	23	173	191	547	23.8
Lenbo, Manhattan	22	204	109	517	23.5
Wesley, Kansas	25	233	121	587	23.5
Haskins, Western Ky.	27	252	129	633	23.4
Sargent, Morehead St.	23	195	146	536	23.3
Hudson, Minnesota	24	231	96	558	23.3
Bing, Syracuse	23	206	121	533	23.2
Dwors, Bowling Green	24	204	145	553	23.0
Lee, Vanderbilt	28	239	153	631	22.5
Radkin, Eastern Ky.	25	226	108	580	22.4
Swiatek, Canisius	20	168	110	446	22.3
Hill, Massachusetts	23	213	85	511	22.2
Thoren, Illinois	24	219	95	533	21.7
Anderson, West. Mich.	24	181	158	530	21.7
Johnson, San Francisco	24	242	143	627	21.6
McGovern, Rhode Island	24	224	69	517	21.5
Pawlak, Pennsylvania	25	215	108	538	21.5
Fairchild, Brigg Young	28	218	166	602	21.5
Veiga, Duke	25	229	76	534	21.4
Bialosuknia, Conn.	23	198	94	490	21.3
Washington, Mich. St.	23	185	120	490	21.3
Sedlacek, Harvard	23	198	94	490	21.3
Young, Montana St.	24	189	132	510	21.3
Wendelken, Holy Cross	23	176	136	488	21.2
Langfitt, Marshall	24	216	77	509	21.2
Pervall, Iowa	24	198	111	507	21.1
Jarvis, Oregon St.	26	216	116	548	21.1
Lewis, No. Carolina	24	191	123	505	21.0
Reed, Notre Dame	27	242	82	566	21.0
Walker, Utah St.	25	213	95	521	20.8
Sanders, Butler	26	228	80	536	20.6
Dairman, Arizona St.	27	220	114	554	20.5
Felsinger, Columbia	22	157	137	451	20.5
Walker, Providence	26	211	110	532	20.5
Williams, Seattle	23	187	94	468	20.3
Burke, Fairfield	20	157	92	406	20.3
Snyder, Davidson	26	221	83	525	20.2
Brown, Fairfield	21	160	104	424	20.2
Kehoe, St. Peter's	19	138	107	383	20.2
Buntin, Michigan	28	221	122	561	20.1
Turner, T.C.U.	24	164	155	483	20.1
Hillman, Memphis St.	24	182	119	483	20.1
Wells, Okla. City	31	222	176	620	20.0
Johnson, Murray St.	26	212	176	520	20.0
Nameli, Murray St.	29	184	72	440	20.0
Purkhiser, Purdue	20	168	84	400	20.0
D'Altilia, Vermont	23	177	101	455	19.8
Kimball, Connecticut	22	168	98	434	19.7
Wright, Colo. St. U.	22	168	98	434	19.7
McMillen, Maryland	26	206	100	512	19.7
Swagerty, Pacific Cal.	26	201	108	510	19.6
Gillette, Maine	23	177	97	451	19.6

Monday, Jan. 3

1 ALABAMA					
2 FLORIDA					
3 XAVIER (Ohio)					
4 DAYTON					
5 PENN STATE					
6 DUKE					
7 MISSISSIPPI STATE					
8 AUBURN					
9 CLEMSON					
10 SOUTH CAROLINA					
11 DUQUESNE					
12 ST. FRANCIS (Pa.)					
13 FLORIDA STATE					
14 GEORGIA					
15 LOUISIANA STATE					
16 MISSISSIPPI					
17 MARYLAND					
18 NORTH CAROLINA					
19 UTAH					
20 MIAMI (Fla.)					
21 SYRACUSE					
22 CREIGHTON					
23 V.M.I.					
24 GEO. WASHINGTON					
25 LOYOLA (Chicago)					
26 INDIANA					
27 MOREHEAD					
28 EASTERN KENTUCKY					
29 KANSAS STATE					
30 MISSOURI					
31 ST. LOUIS					
32 KENTUCKY					
33 WISCONSIN					
34 MARQUETTE					
35 TULANE					
36 TENNESSEE					
37 OKLAHOMA STATE					
38 OKLAHOMA					

PRO BASKETBALL

39 CINCINNATI (Memphis)	8:00				
40 ST. LOUIS					

Tuesday, Jan. 4

1 BROWN					
2 PROVIDENCE					
3 PURDUE					
4 NOTRE DAME					
5 DAVIDSON					
6 RICHMOND					
7 PITTSBURGH					
8 GEORGIA TECH					
9 VIRGINIA TECH					
10 WILLIAM & MARY					
11 TULANE					
12 VANDERBILT					
13 ARKANSAS					
14 TEXAS CHRISTIAN					
15 SO. METHODIST					
16 TEXAS A. & M.					
17 RICE					
18 TEXAS					
19 NEBRASKA					
20 IOWA STATE					
21 BAYLOR					
22 TEXAS TECH					

PRO BASKETBALL

23 SAN FRANCISCO (New York)	6:30				
24 BALTIMORE					
25 PHILADELPHIA					
26 NEW YORK	8:30				

Wednesday, Jan. 5

1 GEORGETOWN	4:00				
2 NAVY					
3 VILLANOVA (Palestra)					
4 TEMPLE					
5 NO. CAROLINA STATE					
6 SOUTH CAROLINA					
7 RHODE ISLAND					
8 BOSTON COLLEGE					

9 HOLY CROSS					
10 CONNECTICUT					
11 LOYOLA (Chicago)					
12 MARQUETTE					
13 NORTH CAROLINA					
14 WAKE FOREST					
15 VIRGINIA					
16 MARYLAND					
17 BOWLING GREEN					
18 TOLEDO					
19 OHIO UNIVERSITY					
20 WESTERN MICHIGAN					
21 MIAMI (Ohio)					
22 KENT STATE					
23 BUTLER					
24 EVANSVILLE					
25 FURMAN					
26 TENNESSEE					

PRO BASKETBALL

27 SAN FRANCISCO (Baltimore)	6:30				
28 NEW YORK					
29 ST. LOUIS	8:30				
30 BALTIMORE					
31 DETROIT (Dayton)	8:30				
32 CINCINNATI					
33 BOSTON	11:30				
34 LOS ANGELES					

National Hockey League

35 CHICAGO	8:00				
36 MONTREAL					

Thursday, Jan. 6

1 WEST VIRGINIA (Madison Sq. Garden)					
2 NEW YORK UNIV.					
3 RICHMOND					
4 VIRGINIA TECH					
5 WICHITA STATE					
6 BRADLEY					
7 CLEMSON					
8 GEORGIA TECH					

9 DRAKE	To Hannah	Perse + IV	1/6	W
10 ST. LOUIS		7/2 St	3	1/2 W
11 OKLAHOMA CITY	To Andy	Perse - 12 1/2	1	W
12 LOYOLA (N.O.)		7/2 St	1/4	1 W
13 SEATTLE		Perse - 8 1/2	1	L
14 TEXAS WESTERN				
15 LOUISVILLE	To Joe	Perse - 5	1	L
16 TULSA				
17 CINCINNATI	To Leo	Perse - 13	1	L
18 NORTH TEXAS STATE				
19 WYOMING				
20 DENVER				

PRO BASKETBALL

21 CINCINNATI	100 Hannah	8:00		
(Toledo)				
22 DETROIT	To Andy			
23 BALTIMORE	Perse 100			
(Syracuse)	Perse 100			
24 PHILADELPHIA	Perse 100			

National Hockey League

25 BOSTON	8:00			
26 DETROIT				

Friday, Jan. 7

1 PENNSYLVANIA	✓	12 1/2	13 1/2
2 BROWN			
3 PRINCETON		5 1/2	6 1/2
4 YALE			
5 CORNELL	✓	9	9
6 HARVARD			
7 COLUMBIA		8 1/2	9 1/2
8 DARTMOUTH	✓		
9 MIAMI (Florida)			
10 FLORIDA STATE		4	3 1/2
11 ARIZONA UNIV.			
12 UTAH		12 1/2	13 1/2
13 ARIZONA STATE			
14 BRIGHAM YOUNG		17	18 1/2
15 OREGON			
(L.A. Sports Arena)			
16 SO. CALIFORNIA		14 1/2	14 1/2
17 OREGON STATE			
(Pauley Pavilion)			
18 U.C.L.A.		15 1/2	16 1/2

PRO BASKETBALL

19 ST. LOUIS	Brown + IV	8:00	17	18 1/2
20 DETROIT	Perse + IV	8:30	17	18 1/2
21 LOS ANGELES	Perse + IV	8:30	17	18 1/2
22 PHILADELPHIA				
23 BOSTON				
24 SAN FRANCISCO				

Saturday, Jan. 8

1 TOLEDO	12:00			
2 MIAMI (Ohio)				
3 ILLINOIS	2:00			
4 INDIANA	2:30			
5 MINNESOTA	2:30			
6 MICHIGAN STATE	2:30			
7 IOWA	2:30			
8 WISCONSIN	2:30			
9 TEXAS	3:00			
10 SO. METHODIST	3:00			
11 PURDUE	3:00			
12 NORTHWESTERN	3:00			
13 AUBURN	3:00			
14 LOUISIANA STATE	3:00			
15 TEXAS TECH	3:00			
16 ARKANSAS	3:00			
17 CALIFORNIA	5:30			
18 WASHINGTON STATE	5:30			
19 FURMAN	7:30			
20 CITADEL	7:30			
21 DUQUESNE	7:30			
(Mem. Aud., Buffalo)				
22 ST. BONAVENTURE	9:30			
23 ST. FRANCIS (Pa.)	9:30			
24 CANISIUS				
25 WEST VIRGINIA				
(Charlotte)				
26 DAVIDSON				
27 ST. JOSEPH'S (Pa.)				
(Palestra)				
28 LaSALLE				
29 NOTRE DAME				
(Denver)				
30 AIR FORCE				
31 OREGON				
(Pauley Pavilion)				
32 U.C.L.A.				

33 OREGON STATE				
(L.A. Sports Arena)				
34 SO. CALIFORNIA				
35 MICHIGAN	2:00			
36 OHIO STATE				
37 CORNELL				
38 DARTMOUTH				
39 DAYTON				
40 DePAUL				
41 DUKE				
42 NORTH CAROLINA				
43 NAVY				
44 SYRACUSE				
45 PENNSYLVANIA				
46 YALE				
47 VILLANOVA	2:30			
48 ST. JOHN'S (N.Y.)	2:30			
49 PITTSBURGH				
50 VIRGINIA TECH				
51 WILLIAM & MARY				
52 V.M.I.				
53 COLUMBIA				
54 HARVARD				
55 PRINCETON				
56 BROWN				
57 BOSTON UNIVERSITY				
58 COLGATE				
59 BRADLEY				
60 DRAKE				
61 NEW YORK UNIV.				
62 BOSTON COLLEGE				
63 XAVIER (Ohio)				
64 MARQUETTE				
65 VIRGINIA				
66 NO. CAROLINA STATE				
67 ARMY				
68 SETON HALL				
69 KENTUCKY				
70 FLORIDA				
71 GEO. WASHINGTON				
72 RICHMOND				

73 BOWLING GREEN				
74 WESTERN MICHIGAN				
75 VANDERBILT				
76 GEORGIA				
77 GEORGIA TECH				
78 WAKE FOREST				
79 ST. LOUIS				
80 WICHITA STATE				
81 OKLAHOMA CITY				
82 MEMPHIS STATE				
83 MISSISSIPPI				
84 TENNESSEE				
85 MISSOURI				
86 NEBRASKA				
87 TEXAS CHRISTIAN				
88 BAYLOR				
89 IOWA STATE				
90 KANSAS				
91 CINCINNATI				
92 TULSA	2:15			
95 COLORADO				
96 OKLAHOMA				
93 KANSAS STATE				
94 OKLAHOMA STATE				
97 MISSISSIPPI STATE				
98 TULANE				
99 LOUISVILLE				
100 NORTH TEXAS ST.				
101 TEXAS A. & M.				
102 RICE				
103 WYOMING				
104 NEW MEXICO				
105 COLORADO STATE				
106 DENVER				
107 ARIZONA STATE				
108 UTAH				
109 ARIZONA				
110 BRIGHAM YOUNG				
111 SAN FRANCISCO				
112 SANTA CLARA				

113 STANFORD				
114 WASHINGTON				

PRO BASKETBALL

115 LOS ANGELES	8:30			
116 NEW YORK				
117 CINCINNATI	8:30			
118 BALTIMORE				
119 PHILADELPHIA	9:00			
120 ST. LOUIS				
121 BOSTON	11:30			
122 SAN FRANCISCO				

National Hockey League

123 BOSTON	8:00			
124 MONTREAL				
125 DETROIT	8:00			
126 TORONTO				
127 CHICAGO	8:00			
128 NEW YORK				

Sunday, Jan. 9

PRO BASKETBALL


1 LOS ANGELES	2:00			
2 DETROIT				
3 NEW YORK	2:00			
4 BALTIMORE				
5 PHILADELPHIA	4:00			
6 ST. LOUIS				

National Hockey League

7 MONTREAL	7:00			
8 DETROIT				
9 BOSTON	8:00			
10 NEW YORK				
11 TORONTO	8:30			
12 CHICAGO				

NY 165-1344

The following consists of a Xerox copy of a Hotel Salisbury memorandum bearing handwritten notations taken from inside coat pocket of NATHAN MODELL, incidental to his arrest and search of his person:




N.Y. Hosp


Hotel Salisbury
123 West 57th Street
NEW YORK

b6
b7C

NY 165-1344

The following consists of Xerox copies of one Hotel Salisbury memorandum and two St. Moritz Hotel memoranda, taken from MODEL's room, 507 Hotel Salisbury, pursuant to search warrant:

Dentist			
		 Michael S. Sullivan 123 West 57th Street NEW YORK	

Luggage / Decl. Env.
 *St. Moritz Housegoods*
Ca - Zenith ON - TV
Ladies Vala Pack No Plaid
Ring
 Decorator

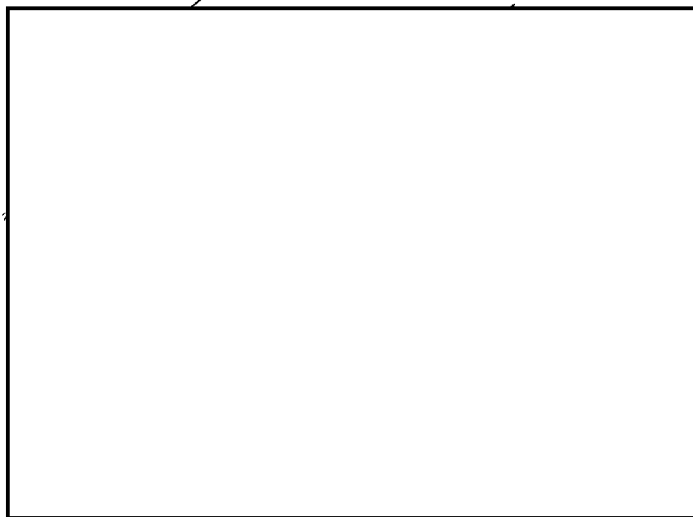
 Waste Basket

 NEW YORK'S ONLY TRULY CONTINENTAL HOTEL

b6
b7C

b6
b7C

NEW YORK'S ONLY TRULY CONTINENTAL HOTEL



ON - THE - PARK
W. E. Montgomery



FEDERAL BUREAU OF INVESTIGATION

1/28/66

Date

[redacted] was advised by SA [redacted] who had identified himself as a Special Agent (SA) of the Federal Bureau of Investigation (FBI), that he did not have to say anything, anything he did say could be used against him in a court of law, and he could consult an attorney before saying anything.

b6
b7C

[redacted] advised he is [redacted] who deals only with [redacted] with his business at [redacted]

[redacted] He stated that prior to December 16, 1965, he was approached by a person known only to him as

[redacted] (Phonetic), [redacted]

b6
b7C

[redacted] He described [redacted] as being about 5 feet 6 inches, 180 pounds, 60 years of age, and blond hair with a bald spot on top. [redacted] stated that [redacted]

[redacted] KENNETH HERBERT HANNA, 2290 N. E. 170th Street, North Miami Beach, Florida. [redacted] December 16, 1965. [redacted]

He stated he does not know where [redacted] lives. [redacted] stated he knows nothing about mechanical or electrical devices and has never been involved in constructing any of these devices.

[redacted] said he does not gamble and has never been to the track. He stated [redacted]

[redacted] The following description of [redacted] was obtained through observation and interview:

1/24/66 New York, New York NY 165-1344
On [redacted] at [redacted] File # [redacted]
SAS [redacted] b6
and [redacted] car b7C
by [redacted] Date dictated 1/24/66

NY 165-1344

Name
Address

Occupation
Business Address

Date of Birth
Place of Birth
Phone Number
Height
Weight
Hair
Eyes



b6
b7C

[redacted] stated he could furnish no further information concerning HANNA. He advised he has never heard the names [redacted] or NATHAN MODELL and he does not know these individuals.

b6
b7C

NY 165-1344

Current New York City telephone directories reflect Telephone Number 246-1300 listed for Hotel Salisbury, 123 West 57th Street, New York City, and there is no such number as 322-0706 in any of the Boroughs of New York City.

On January 19, 1966, Assistant United States Attorney (AUSA) MICHAEL FAWER, Southern District of New York (SDNY), advised hearing scheduled for MODELL this date has been adjourned pending presentation of evidence to Grand Jury, Miami, Florida.

On February 2, 1966, AUSA MICHAEL FAWER, SDNY, advised hearing for NATHAN MODELL is still pending until presentation of evidence to Grand Jury, Miami, Florida.

F B I

Date: 2/15/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
FROM: SAC, MIAMI (165-592) (P)
SUBJECT: KENNETH HERBERT HANNA, aka.
ITAR; ITWI; FBW

OO: Miami

Departmental Attorney WALLACE JOHNSON has agreed to the Defense Counsel for subject HANNA to listen to the magnetic tape recordings made by Southern Bell Telephone & Telephone Co., in this case.

Counsel for HANNA is scheduled to listen to these tape recordings at the Miami FBI Office, 9:00 A. M., , 2/18/66.

Above for infor Bureau and NY.

3 - Bureau
1 - New York (165-1344)
1 - Miami
WFH:ed
(5)

REC 8

165-1990-32

X-102

8 FEB 16 1966

Approved

66 FEB 24 1966

Special Agent in Charge

Sent

M

Per

F B I

Date: 2/16/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
FROM: SAC, MIAMI (165-592) (P)
RE: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW
OO: Miami

Federal Grand Jury, Miami, SD Fla., returned a five count true bill indictment on 2/16/66 against subjects. Three counts charge HANNA with violation Title 18, Sections 1343, 1084 and 1952. Two counts charge MODELL with violation Section 1084 and Section 1952. This indictment supersedes prior indictment of HANNA. Departmental Attorneys advise subjects will be tried together SD Fla.

New York requested to expedite the investigation relating to the evidence seized in the arrest of MODELL and search of his apartment in order that this investigation will be completed prior to trial.

3 - Bureau
2 - New York
1 - Miami
WFH:amc
(6)

REC-52

165-1990-33

10 FEB 18 1966

b6
b7c

C.C. Wick

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____



1 -

b6
b7C

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: FBI, Miami (165-592)

Date: March 14, 1966

Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW
(OO: Miami)

J. Edgar Hoover
EX-101
John Edgar Hoover, Director

FBI File No.
Lab. No.

165-1990-34
D-500604 ET

Examination requested by: Miami

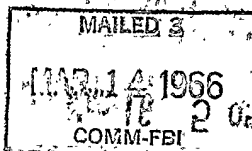
Reference: Airtel 2/24/66

Examination requested: Document

Remarks:

ENCLOSURES (10) (8 photographs, 2 Lab report)

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____



b6
b7C

ADMINISTRATIVE PAGE

MAIL ROOM ☒ TELETYPE UNIT ☐

Per 1535

REPORT
of the1 - b6
b7CFEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: FBI, Miami

Date: March 14, 1966

Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBWFBI File No. 165-1990
Lab. No. D-500604 ETb6
b7C

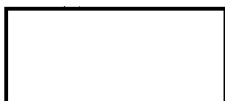
Specimens received: 2/28/66

Q1 Urn containing burned paper

Result of examination:

The charred paper of specimen Q1 was appropriately treated and photographed in the Laboratory. This paper has been mounted between pieces of glass and will be returned to you in this form separately. Photographs of the charred paper are sent to you herewith.

The paper was found to have a few miscellaneous pencil markings on it. Most of these consist of figures as follows:



C

No. 87451

668 4 1

46

(The above were all on what was originally one piece of paper.)

301

66

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

(The above were on one small piece of charred paper.)

Page 1

FEW:fa (4)

(continued on next page)

MAIL ROOM ☐ TELETYPE UNIT ☐

(The above was on one small piece of charred paper.)

No other markings or printing was determined to be present on the submitted charred paper.

The urn, Q1, will be returned to you along with the charred paper. Appropriate photographs of the charred paper have been retained.

Recorded
2-28-66 emj

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

File # 165-1990 -34
Lab. # D-500604 ET

OO: Miami

Examination requested by: FBI, Miami (165-592) Airtel 2-24-66

Examination requested: Document

Date received: Evidence
2-28-66

Result of Examination:

Examination by: [redacted]

b6
b7C

*Charred paper moisture treated
Sprayed with Krylon
Put between glass
Photographed*

7- 3/11/66

Specimens submitted for examination

Q1 Urn containing ~~ashes~~ of burned paper



*C
No. 87451
66841*

*301
66-*

45

46

*Lab recd
3-14-66
FEW*

F B I

Date: 2/24/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO: Director, FBI (165-1990)
Attention: FBI Laboratory

FROM: SAC, Miami (165-592) (P)

RE: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

OO: Miami

Re Miami letter, 1/31/66, and Bureau letter,
2/24/66.SA [redacted] is scheduled to report for
in-service training on 2/28/66. SA [redacted] will hand carry
the box containing the ashes described in referenced letters.For the information of the Laboratory, these ashes
have been submitted to an atmosphere of high humidity prior
to their transportation to the Laboratory.The Laboratory is requested to make an appropriate
examination of these ashes in an effort to recover any
messages, intelligence data, etc. that may have been written
on the paper prior to the burning.For the information of the Laboratory, the subject
is a known bookmaker who gambles on horses and sporting
events and it is likely that any writing on the paper would
be related to these activities.The Bureau is requested to handle the above material
as evidence inasmuch as it may possibly be used in the subse-
quent trial of the subjects.4 - Bureau (RM) (1 - Package)
1 - Miami
WFH:amc
(5)

REC 70

165-1990-34

165-1990
25 FEB 26 1966

ENCLOSURE ATTACHED

Approved

Sent

Special Agent in Charge

Copy & evidence retained in Lab. P
2/25/66 emj.

INDEX LAB FILES

b6
b7C

Recorded
2-28-66 emj

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE **LAB FILE**

Laboratory Work Sheet

Re: **KENNETH HERBERT HANNA, aka;**
NATHAN MODELL, aka
ITAR; ITWI; FBW

165-1990
File # **D-500604 ET**
Lab. #

b6
b7C

OO: Miami

Examination requested by: **FBI, Miami (165-592) Airtel 2-24-66**

Examination requested: **Document**

Result of Examination:

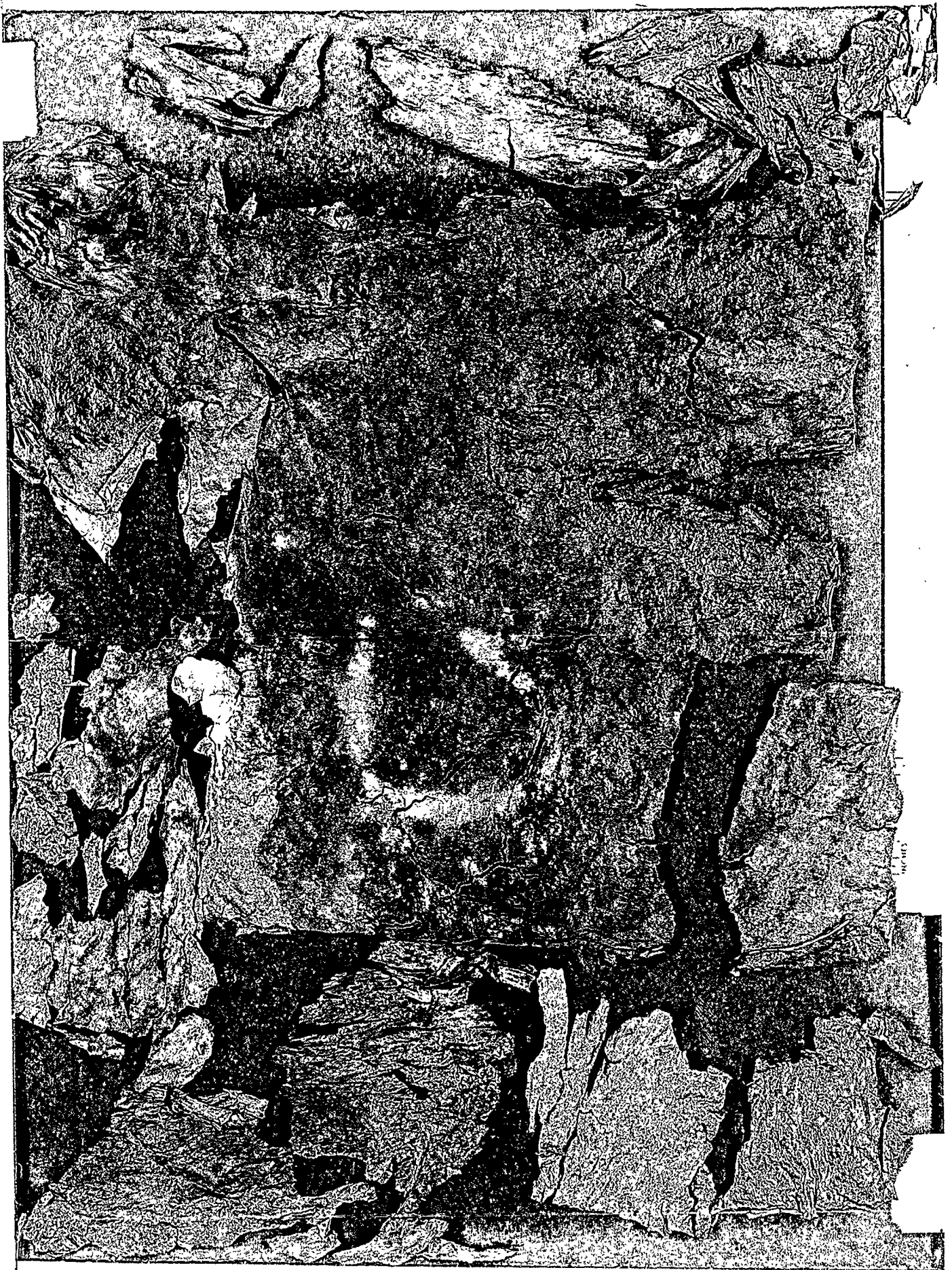
Evidence
2-28-66

Date received:

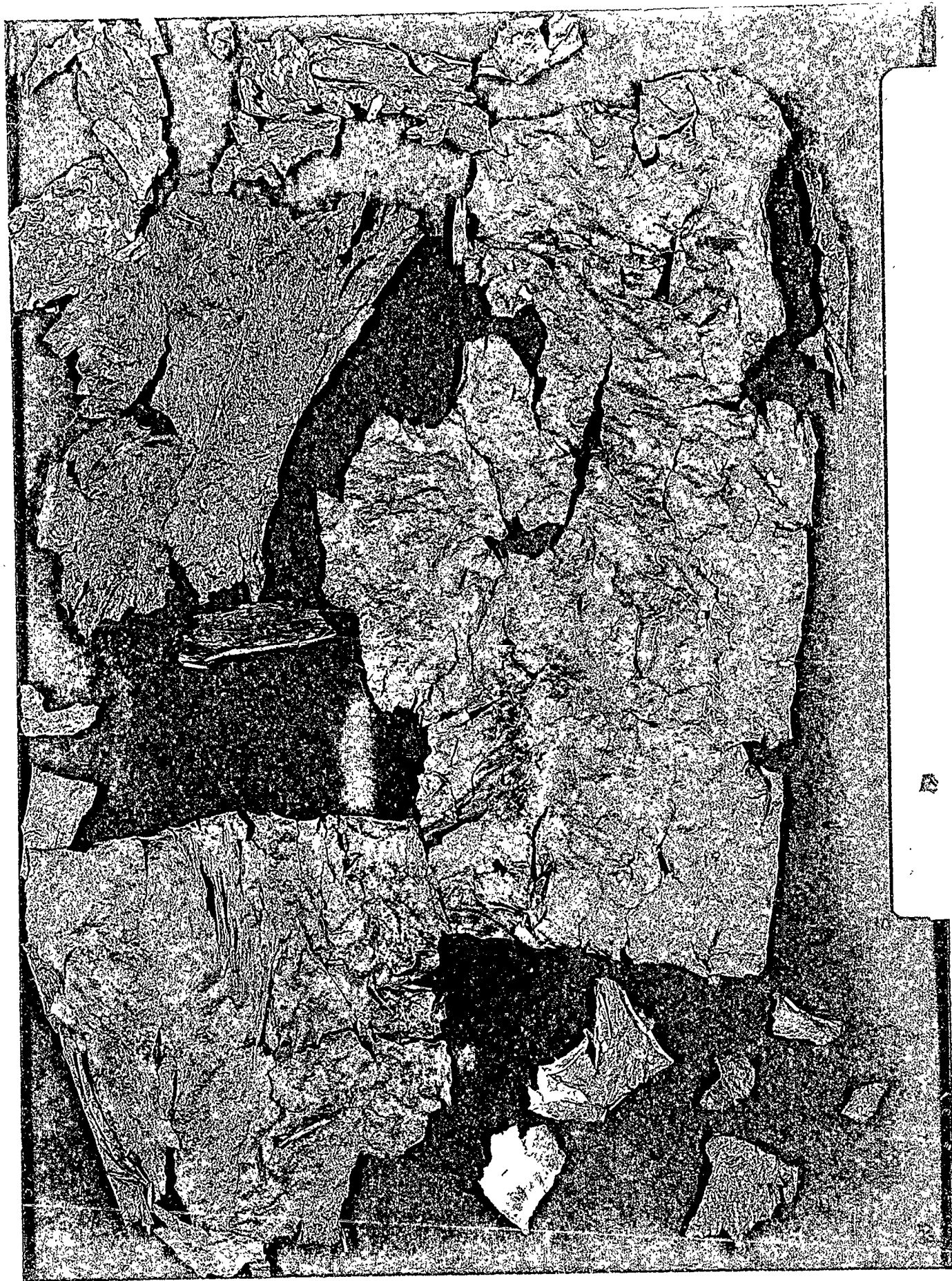
Examination by:



165-1990-592
Specimens submitted for examination
Q1 Urn containing ~~ashes of~~ burned paper









FEDERAL BUREAU OF INVESTIGATION
recorded 3/10/66 UNITED STATES DEPARTMENT OF JUSTICE
gc

Laboratory Work Sheet

Re: KENNETH HERBERT HANNA, aka
NATHAN MODELL, aka
ITAR; ITWI; FBW

File # 165-1990-35
Lab. # E-362 HQ

Examination requested by: FBI, Miami (165-592) airtel 3/8/66

Examination requested: Electronics

Date received: 3/10/66

Result of Examination:

Examination by: [Redacted]

b6
b7C

COPIED MAGNETIC RECORD 1021 TO MAGNETIC RECORD M-905 (A & B COPIES) SIMULTANEOUSLY,
ALSO COPIED BACK-UP COPY (COPY C) ON PRESTO SIMULTANEOUSLY. COPIES 3 3/4 IPS
25 REEL TURN OVERLAP BETWEEN SEQUENTIAL COPIES OF 1A AND 2A, RECORDED
15 1/16" IPS, 3A AND 4A RECORDED 3 3/4 IPS,

COPIES = 1A - COPY A-1 2A - COPY A-1 3A - SIDE 1 - COPY A 4A - COPY A
COPY A-2 COPY A-2 COPY B COPY B
COPY A-3 COPY B-1 COPY B-1 COPY B
COPY B-2 COPY B-2 COPY B
COPY B-3 COPY B-3 COPY B
2400 FT 7" REELS 2400 FT 7" REELS 1200' 7" REELS 1200' 7" REELS
REELS 1200' 7" REELS

Specimens submitted for examination

- Q2 One reel recording tape 1200 feet in length, IDENTIFIED AS "1A"
- Q3 One reel recording tape, IDENTIFIED AS "2A"
- Q4 One reel recording tape 3-3/4 ips ~~half~~ half track, IDENTIFIED AS "3A"
- Q5 One reel & recording tape, IDENTIFIED AS "4A"

1A AND 2A COPIED 3 3/4 IPS TO 15 IPS
3A AND 4A COPIED 7 1/2 IPS TO 7 1/2 IPS

ALL REELS IDENTIFIED BY SCRIBE MARKS ON REEL INCLUDING

"g 3/11/66"

Lab
3/15/66
gml/g

F B I

Date: 3/8/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
Attention: FBI Laboratory - Electronics Section

FROM: SAC, MIAMI (165-592)(P)

RE: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

On 3/7/66, counsel for subject HANNA appeared in U. S. District Court, Miami, with motions concerning magnetic tapes in this case. Departmental Attorney WALLACE JOHNSON represented the Government before Judge MERTEN's U. S. District Court.

It was agreed that the Government would furnish magnetic tape copies (dubbings) of the four tapes which are evidence in this case.

Departmental Attorney WALLACE JOHNSON requested that the FBI Laboratory prepare these magnetic tape copies and, if possible, certify that these copies are exact duplicates of the original tapes. Mr. JOHNSON stated that if the above certification is not possible, he desired that someone from the Laboratory be in a position to testify to the duplication.

Mr. JOHNSON requested that at the time these tapes are duplicated for the defense a second duplication be made at the same time in order that this duplication will be available to the Government.

4 - Bureau (RM) (1 - Package) (RM)
1 - New York (165-1344) (RM) (Info)
1 - Miami
WFH:amc
(6)

Lab report 3/15/66
quill/ce
1 cc retained in LAB
newspaper 15/1

REC 70 165-1990-35

14 MAR 9 1966

b6
b7c

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

MM 165-592

b3 FRCP Rule 6(e)

There is being forwarded, by separate package, four 5" reels of magnetic tapes which are evidence and which were obtained from [redacted] Miami, by the Federal Grand Jury in Philadelphia. These tapes are as follows and are so designated on the box containing them:

- Q2 1. Reel 1A which is 1200 ft. in length and was made at 15/16 ips half track. Only one side of this tape was recorded on.
- Q3 2. Reel 2A also made at 15/16 ips half track with only one side recorded on.
- Q4 3. Reel 3A, 3-3/4 ips half track, sides one and two recorded on.
- Q5 4. Reel 4A, 3-3/4 ips half track, one side recorded on.

It was agreed between the defense counsel and the Government that the copies of the above tapes would be made on 7" reels, 3-3/4 ips single track.

The above described four reels should be handled as evidence and returned to Miami along with the dubbed copies.

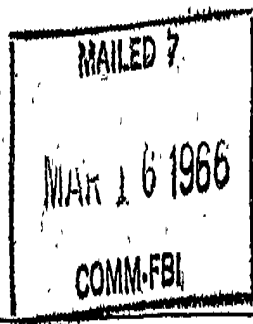
It is requested that the Laboratory expedite the above matter in order that the copies can be made available to the defense counsel at the earliest date in order to forestall subsequent motions in this regard.

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: 3-16-66

Re: KENNETH HERBERT HANNA, aka
NATHAN MODELL, aka
ITAR; ITWI; FBW

TO: SAC, Miami



715088 60

Invoice of Contents

Q2, Q3, Q4, Q5.

- ☐ Crypt.-Trans.
- ☒ Document
- ☒ Electronics
- ☐ P & C
- ☐ LFPS

EVIDENCE

EVIDENCE

Special Instructions:

Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
initial invoice; return to Section checked in block; after
initialing in block, invoice to be placed in administrative file.

FBI File No. 165-1990

3-15-66

Via Registered Mail.

54 MAR 18 1966



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

1
1



BS

b6
b7C

To: **FBI, Miami (165-592)**

Date: **March 15, 1966**

Re: **KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW**

J. Edgar Hoover
EX-101
REC-134

John Edgar Hoover, Director

FBI File No.

165-1990-35

Lab. No.

E-362 HQ

Examination requested by:

Miami

Reference:

Airtel 3/8/66

Examination requested:

Electronics

Remarks:

Copies of the Q2 through Q5 recordings are identified on the reel boxes by pen notations and on the seven-inch reels by scribe notations with the specific identification data listed in the report. A complete set of tape copies of Q2 through Q5 consists of eight seven-inch reels and each eight reel set is tied together for ease of identification.

With regard to reairtel request that the tape copies be certified as exact duplicates of the original tapes, it is noted that the attached report states that the copies are direct and exact copies, duplicating the recorded material on the original recordings. Should any further certification be required, request you advise as to the specific certification form and authentication desired.

Enc. (2) (2 Lab report)

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____

GWF:gc (6)

MAILED 9

MAR 15 1966

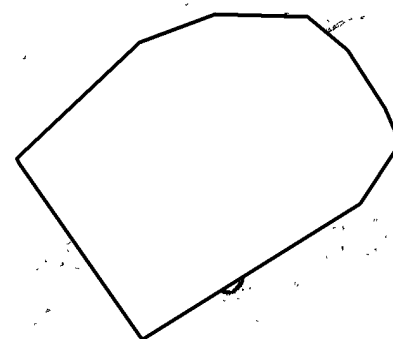
COMM-FBI

ADMINISTRATIVE PAGE

59 MAR 22 1966

MAIL ROOM

TELETYPE UNIT



b6
b7C

REPORT of the



FEDERAL BUREAU OF INVESTIGATION WASHINGTON, D. C.

To: **FBI, Miami (165-592)**

Date: **March 15, 1966**
 FBI File No. **165-1990**
 Lab. No. **E-362 HQ**

Re: **KENNETH HERBERT HANNA, aka
 NATHAN MODELL, aka
 ITAR; ITWI; FBW**

Specimens received

- Q2 One reel recording tape 1200 feet in length, identified as "1A"**
- Q3 One reel recording tape, identified as "2A"**
- Q4 One reel recording tape 3-3/4 ips half-track, identified as "3A"**
- Q5 One reel recording tape, identified as "4A"**

Result of Examination:

Q2 through Q5 were copied directly from a magnetic tape playback to two magnetic tape recorders so that two exact copies were made simultaneously. Q2, identified as "1A" was recorded at 15/16 inches per second (ips) and it was necessary to utilize two seven-inch reels and a part of a third seven-inch reel for each copy to provide for playback at 3-3/4 ips. The copies of Q2 are identified as 1A Copy A-1, 1A Copy A-2, and 1A Copy A-3, and 1A Copy B-1, 1A Copy B-2 and 1A Copy B-3. To assure complete and identifiable overlap in the copies, approximately twenty-five reel turns of the recorded material are duplicated at the end of each copy reel and the beginning of the next.

Q3, identified as "2A," was recorded at 15/16 ips, also, but contained about ten minutes less recorded material than 1A and required only two seven-inch reels for the copy. The copies of Q3 are identified as 2A Copy A-1 and 2A Copy A-2, and 2A Copy B-1 and 2A Copy B-2. Again, approximately twenty-five reel turns of the recorded material are duplicated at the end of each copy reel and the beginning of the next.

Tolson _____
 DeLoach _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Wick _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Page 1

(continued on next page)

GWF:gc (6)

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7c

Q4, identified as "3A," was recorded at 3-3/4 ips on both inner and outer tracks which were identified as "Side 1" and "Side 2." Copies of each track were made on seven-inch reels and copies are identified as 3A Side 1 Copy A, 3A Side 1 Copy B, 3A Side 2 Copy A, and 3A Side 2 Copy B.

Q5, identified as "4A," was recorded at 3-3/4 ips. Copies of 4A are identified as 4A Copy A and 4A Copy B.

All copies were recorded on seven-inch reels for playback at 3-3/4 ips and are direct and exact copies of the original recorded material so that the recorded material on the copies duplicates the recorded material contained on the original recordings.

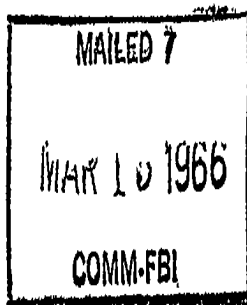
Q2 through Q5 and copies as indicated above are being forwarded to you under separate cover by registered mail.

0-4a (Rev. 11-19-64)

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

DATE: 3/14/66
TO: SAC, Miami

Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW



718913

Invoice of Contents

Q1

- ☐ Crypt. Trans.
- ☒ Document
- ☐ Electronics
- ☐ P & C
- ☐ LFPS

Registered

Sent 3/15/66

Special Instructions:

Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
initial invoice; return to Section checked in block; after
initialing in block, invoice to be placed in administrative file.

FBI File No. 165-1990

3/14/66

D-500604 ET

50 MAR 16 1966

mf

M

C

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (165-1990)

DATE: 3/17/66

ATTENTION: IDENTIFICATION DIVISION
LATENT FINGERPRINT SECTION

FROM : SAC, Miami (165-592)

(P)

SUBJECT: KENNETH HERBERT HANNA, Aka.;
NATHAN MODELL, Aka.;
ITAR; ITWI; FBW.
(MM:OO)

Remylet, 1/28/66, and Bulet, 2/10/66.

The Identification Division is requested to refer to their Latent Case Number 64617, in which eight latent fingerprints were developed on airline tickets obtained from Subject HANNA at the time of his arrest and the search of his apartment.

The Identification Division is requested to compare these latent fingerprints with the fingerprints of [redacted] FBI Number [redacted]

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b7C

- ③ - Bureau
1 - Miami

WFH:GK
(4)

b6
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REC-9

165-1990-36

25
MAR 21 1966

EXP. PROC.



4 MAR 29 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 6

Page 118 ~ b7D

Page 119 ~ b6, b7C, b7D

Page 208 ~ Duplicate page 125

Page 209 ~ Duplicate page 186

Page 246 ~ Duplicate page 200

Page 247 ~ Duplicate page 201

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEWARK	OFFICE OF ORIGIN MIAMI	DATE 3/24/66	INVESTIGATIVE PERIOD 1/4/66 - 3/10/66
TITLE OF CASE KENNETE HERBERT HANNA, aka		REPORT MADE BY [redacted] b6 b7C	TYPED BY laf
		CHARACTER OF CASE ITAR; ITWI; FBW	

REFERENCES: Miami radiogram 1/4/66.
Report of SA [redacted] dated 1/13/66.
at Miami. b6 b7C

- P -

ADMINISTRATIVE

Newark elected to prepare a separate report in this matter rather than to submit inserts, because it is believed that this will facilitate the examination of the New Jersey participants and enable an assessment of their potential for prosecution.

Information pertaining to the fingerprints located on evidence submitted to the Latent Fingerprint Section is being withheld from this report inasmuch as the prints have

Case has not been pending over one year.

Case has not been pending prosecution over six months.

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:		165-1990-37	REC-23
3-Bureau (165-1990)		18 MAR 25 1966	V-114
1-USA, Newark			
3-Miami (165-592)			
(1-USA, Miami)			
2-Newark (165-663)			
Dissemination Record of Attached Report		Notations	
Agency	CC, A&C, Criminal Division	31-66	
Request Recd.	Organized Crime & Racketeering Section	STAT. SEC.	
Date Fwd.	Room 2524		
How Fwd.	86		
By	150 MAR 31 1966		

NK 165-663

not yet been identified. In this regard, it is requested that if the Departmental Attorney in Miami authorizes the arrest of [redacted] that it be effected by Bureau Agents so that major case prints can be obtained for comparison with latents found.

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b7C

As can be seen in this report, the toll call records are set out in two sections. The reason for this is that certain of the numbers recorded as having been called from HANNA's residence are of obvious significance. It is suggested, however, that some of the numbers obtained from a translation of the multi-frequency tones were either misinterpreted or called in error by HANNA. In this regard it might be of some assistance to know the number of calls to a particular telephone number. Repeated traffic would tend to indicate that HANNA had not reached a New Jersey subscriber by mistake.

LEADS

MIAMI

At Miami, Florida: 1. Will advise concerning any possible prosecutive action regarding [redacted]

b6
b7C

2. Will suggest any interviews of New Jersey recipients where it is believed that they might be of value in securing evidence which might lead to prosecution.

NEWARK

At Newark, New Jersey: 1 Will, on a selective basis, secure subscriber information regarding some of the numbers called by New Jersey recipients, in an attempt to identify all parties involved.

2. Will await further prosecutive developments in Miami.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-USA, Newark (ATTENTION: DEPARTMENTAL ATTORNEY PETER R. RICHARDS)
1-USA, Miami (ATTENTION: DEPARTMENTAL ATTORNEY WALLACE JOHNSON)

Report of: [REDACTED] Office: Newark, New Jersey
Date: March 24, 1966 b6
b7C

Field Office File #: 165-663 Bureau File #: 165-1990

Title: KENNETH HERBERT KANNA b6
b7C

Character: INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis: Based on evidence presented before a Federal Grand Jury and thereafter disclosed by court order, subscribers in New Jersey whose telephone numbers were called from Miami, Fla., with the use of a toll defeating device, [REDACTED] identified. Search warrant obtained for premises at [REDACTED] on basis they were being used in violation of Title 18, USC, Sections 2, 371 and 1084. Warrant executed 1/8/66, and interviews connected therewith conducted. Telephone toll records of New Jersey subscribers set out.

- P -

b3 FRCP Rule 6(e)

DETAILS

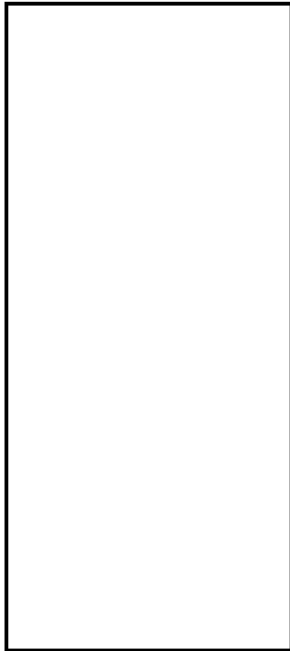
Following the issuance of a subpoena on December 22, 1965, by the United States District Court, Eastern District of Pennsylvania, certain records of [REDACTED] were brought before the Federal Grand Jury for that District in Philadelphia, Pennsylvania. The records concerned [REDACTED]

On January 6, 1966, United States District Court Judge A. LEON HIGGINBOTHAM, JR. ordered that the telephone records may be disclosed pursuant to Rule 6 (e) of the Rules of Federal Criminal Procedure for the purpose of preparing and executing arrest and search warrants.

NK 165-663

Included among the telephone records were notes made by [REDACTED] Miami, Florida. Among these notes was a list of telephone numbers which had been made with the use of a toll defeating device from Miami telephone number 945-8723 during the period November 24, 1965, through December 21, 1965.

The following telephone numbers, as indicated by the area code 201, are located within the State of New Jersey, and appeared on the above mentioned list:



b3 FRCP Rule 6(e)
b6
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1

FEDERAL BUREAU OF INVESTIGATION

January 19, 1966

Date _____

[Empty rectangular box for report content]

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b6
b7C

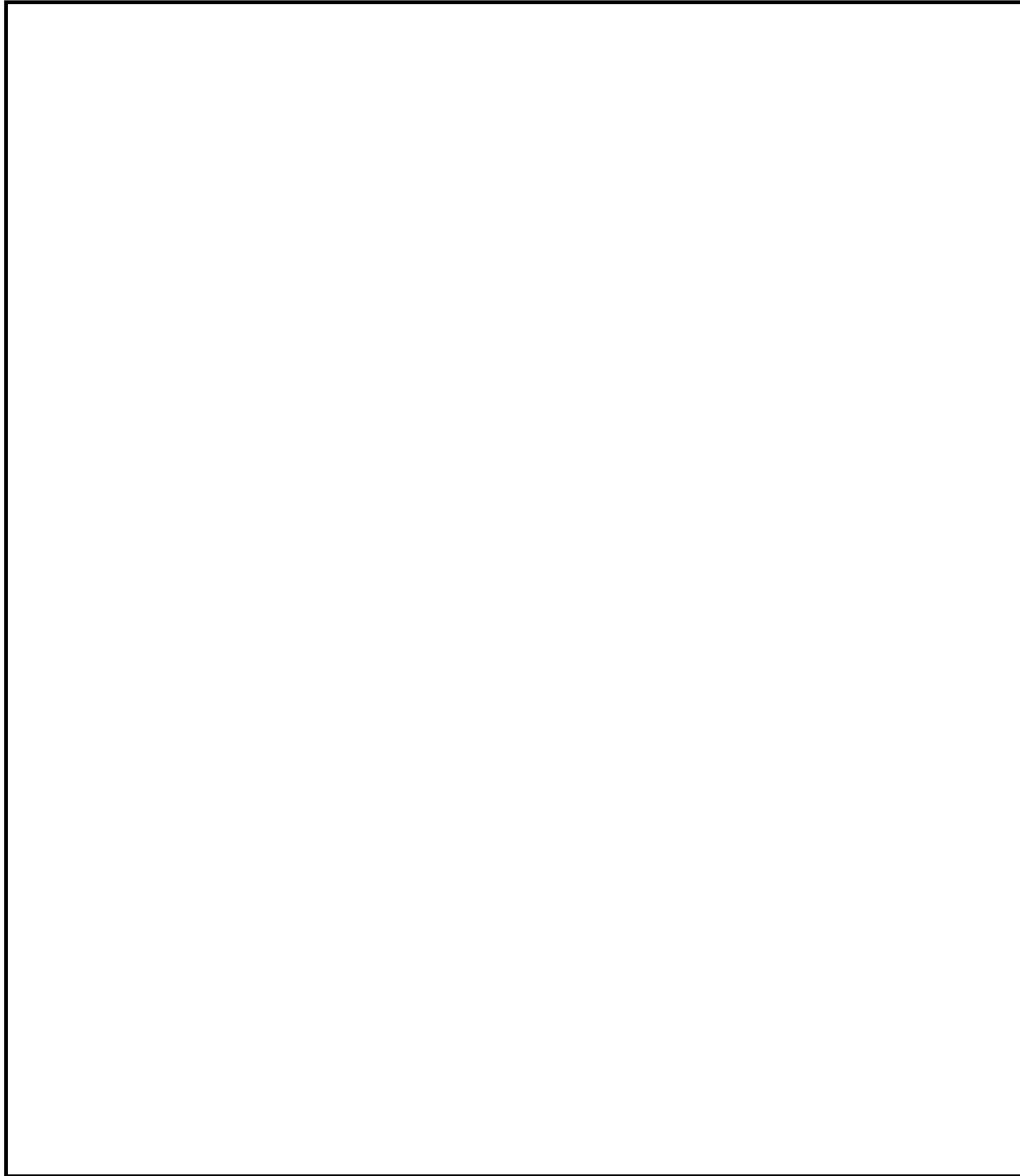
On 1/7/66 at Newark, New Jersey File # Newark 165-663
by IC [redacted] /jcj Date dictated 1/13/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

3

2
NK 165-663

b7D
b6
b7C



The above information can only be made public
by the issuance of a subpoena duces tecum. This subpoena
should be directed to [redacted]

[redacted] or his authorized representative.

b6
b7C
b7D

NK 165-663

The following information, which is pertinent to the New Jersey traffic, was furnished by [redacted] on January 5, 1966, to SAs [redacted] and [redacted] in Miami, Florida. b6 b7C

[redacted] reviewed magnetic tape records made in connection with his investigation of the use of a toll defeating device on Miami telephone number 945-9723. He identified certain calls as having been made to certain New Jersey numbers, which he was able to determine by a translation of the multi-frequency tones produced by the toll defeating device. b6 b7C

On about December 2, 1965, a call was made to [redacted] SAs [redacted] and [redacted] listened to a taped conversation between KEN in Miami and [redacted] at the New Jersey number. The conversation concerned gambling matters. b6 b7C

On about December 3, 1965, a call was made to [redacted] and was determined to be a conversation between KEN and [redacted] b6 b7C

On about December 16, 1965, a call was made to [redacted] and was determined to be a conversation between KEN and [redacted] b6 b7C

On about December 16, 1965, a call was made to [redacted] and was determined to be a conversation between KEN and [redacted] b6 b7C

On about December 17, 1965, a call was made to [redacted] and was determined to be a call between KEN and [redacted]. The conversation concerned gambling matters. b6 b7C

[redacted] also advised that on about November 24, 1965, there was a call from KEN to [redacted] however, because of the poor quality of the multi-frequency tones, he was unable to translate them into digits to determine the number called. This conversation also concerned gambling matters.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date **January 11, 1966**

Records of [REDACTED]

[REDACTED] showed the following information
pertaining to [REDACTED]
[REDACTED]

[REDACTED]

b6
b7C
b7D

There was no record of [REDACTED]

b6
b7C

The above information can be made public only upon
the issuance of a subpoena duces tecum, which should be
directed to [REDACTED]

[REDACTED] Public Service Electric and Gas Company, 80 Park Place,
Newark, New Jersey.

b6
b7C
b7DOn **1/4/66**at **Newark, N.J.**File # **NK 165-663**by **SA [REDACTED] /hds**b6
b7CDate dictated **1/6/66**

FEDERAL BUREAU OF INVESTIGATION

1-Date **January 11, 1966**

[redacted]
[redacted] showed the following [redacted]
[redacted] listed below: [redacted]

[redacted]

b7D
b6
b7C

The above information can be made public only upon
the issuance of a subpoena duces tecum, which should be directed
to [redacted] or his
authorized representative.

b7D
b6
b7C

On **1/4/66** at **Newark, N.J.** File # **NK 165-663**
by **SA [redacted] hdm** Date dictated **1/6/66**

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NK 165-663

On January 7, 1966, SA [redacted] executed the necessary affidavit to obtain a search warrant for the second-floor premises at [redacted] New Jersey, the location of telephones [redacted]. In particular the affidavit described the telephone calls made to these numbers on about December 2 and 17, 1965, as having gambling content.

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On January 7, 1966, United States Commissioner THOMAS WEIR CLOHOSSEY issued a search warrant for the above-mentioned premises on the grounds that they were being used in violation of Title 18, United States Code, Sections 2, 371 and 1084.

1

FEDERAL BUREAU OF INVESTIGATION

Date January 12, 1966

On January 8, 1966, SAs JOHN P. DEVLIN, [redacted]
[redacted] examined the premises
located on the second floor of 7 Henry Street, Jersey
City, New Jersey.

b6
b7C

This apartment consisted of four rooms and
bath, unfurnished, except for one bed and a set of kitchen
furniture.

In the kitchen on the table there was a pink
telephone, desk set type, telephone number [redacted]
In the front room on the floor there was a white
telephone, Princess type, telephone number [redacted]
with a broken line cord.

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b7C

The two above described telephones were
disconnected and removed from the apartment, together
with two telephone directories for Jersey City, Bayonne,
and Hoboken, New Jersey; one copy of the "Jersey Journal"
newspaper dated December 17, 1965; and one copy of
the "New York Herald Tribune" newspaper dated December 17,
1965.

b6
b7C

On 1/8/66 at Jersey City, New Jersey File # Newark 165-663

by JOHN P. DEVLIN [redacted]
SAs and [redacted] /jcl Date dictated 1/12/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date January 13, 1966

On January 8, 1966, at 11 p.m., in possession of a search warrant issued by United States Commissioner THOMAS WEIR CLOUGHEY, for the second floor premises at

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[redacted] New Jersey, SA [redacted] entered the vestibule at the described address. Failing to get any response to an unmarked doorbell, SA [redacted] tried the bell under the name [redacted]

Almost immediately thereafter, a woman and small boy were observed through the outer door glass as they were emerging from a passageway between [redacted]

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SA [redacted] identified himself as a Special Agent of the Federal Bureau of Investigation and inquired whether there was anyone at home upstairs. The woman replied that the second floor tenant had moved out and identified herself as [redacted]

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b7C

[redacted] was advised of the search warrant and she immediately offered admittance. She noted that the front door was secured by a chain and invited SA [redacted] to accompany her to the rear door, through which they entered. [redacted] produced a key for the second floor apartment and SA [redacted] admitted SAs [redacted] and JOHN P. DEVLIN through the front door.

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b7C

The agents proceeded directly upstairs, and finding the door to the apartment open, entered and quickly determined that the apartment was unoccupied. [redacted] followed immediately.

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While the other agents proceeded with an examination of the premises, SA [redacted] spoke with [redacted] in the kitchen. She was advised that the basis

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b7C

On 1/3/66 at Jersey City, New Jersey File # Newark 165-663

by SA [redacted] /jcl Date dictated 1/12/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2

NK 165-663

for the search was reason to believe that the premises contained evidence of a bookmaking operation.. She expressed surprise and was further told that in the event she was implicated in any way she was under no obligation to say anything and that she was free to consult with whomever she wished for advice on the matter.

[redacted] said she would be glad to answer any and all questions about the previous occupant [redacted]. She suggested SA [redacted] accompany her downstairs to her own apartment, where she wished to make a telephone call to cancel her son's music lesson, to which she was going when the agents arrived.

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[redacted] made her call and then invited SA [redacted] into the living room, where she furnished the following information:

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In about June, 1964, a man presented himself to [redacted] as [redacted] and inquired about renting the apartment on the second floor of her home. Inasmuch as the apartment had recently become vacant, she agreed. [redacted] It was [redacted] impression that [redacted] described himself as a merchant seaman. She recalled that for a period before [redacted] arrived [redacted]

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[redacted] She assumed that [redacted] may have been [redacted]

At [redacted] request, [redacted] ordered telephone service for the apartment--one telephone in the name of [redacted] described as [redacted]

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b7C

[redacted] never saw [redacted] on the premises nor did she ever observe [redacted] to have any visitors. He moved in alone with furniture consisting of a single bed and a kitchen set. He never did any cooking nor did he use the apartment for sleeping on a regular basis.

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b7C

3
NK 165-663

[redacted] emphasized that she paid little attention to [redacted] actions. Since she furnished utilities, there only remained for him to pay her rent, which he did, in cash. She also received money from him to pay his monthly telephone bill, for which she would then issue a check. She produced telephone bills for the months of July, August, October, and November, all of which carried her notation of the date paid and the number of the check issued.

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[redacted] said that shortly before Christmas, 1965, [redacted] advised her that he was leaving. He gave no forwarding address but said he would return to remove his furniture. To date, this has not been done.

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b7C

[redacted] said she never observed any automobile being used by [redacted]. She furnished the following physical description of [redacted]

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b7C

Age	Late 30's
Height	6 feet 1 inch
Weight	175 pounds
Hair	Dark, straight
Complexion	Medium
Build	Medium to slender
Dress	Always well dressed in suit, white shirt, tie, hat.

[redacted]
[redacted] Newark Office of the Federal Bureau of Investigation in the event [redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date January 13, 1966

During an interview of [redacted] being conducted in her home at [redacted] New Jersey, on January 8, 1966, [redacted] arrived and was introduced as her husband. [redacted] was apprised of the fact that a search warrant was then being executed at the second floor apartment, based on reason to believe that those premises contained evidence of a bookmaking operation. [redacted] expressed amazement and was advised that if he was implicated in any way he was under no obligation to say anything and that he was free to consult with whomever he wished for advice on the matter.

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[redacted] stated that he was willing to help in any way possible and expressed some resentment that his former tenant would engage in such activities from his home.

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b7C

[redacted] said that the arrangements for rental of the second floor apartment were handled entirely by his wife and he had never had occasion to be aware of [redacted] activities. He estimated that he had probably not seen [redacted] more than three times during his entire tenancy. He was present during his wife's description of [redacted] and said he concurred with her observations.

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b7C

[redacted]
the Newark Office of the Federal Bureau of Investigation in the event [redacted]

b6
b7C

On 1/8/66 at Jersey City, New Jersey File # Newark 165-663

by SA [redacted] /jcj Date dictated 1/12/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1

FEDERAL BUREAU OF INVESTIGATION

Date January 13, 1966

At 11:05 a.m., a 1965 black Buick, with New Jersey license [redacted] parked across the street from [redacted] New Jersey, was observed. The lone occupant, the driver, later identified as [redacted] was observed leaving the automobile and entering [redacted] New Jersey.

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At 11:08 a.m., it was observed that the names [redacted] and [redacted] were on the name plate of the mailbox for apartment [redacted].

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At 11:09 a.m., [redacted] answered the door at apartment [redacted] and stated in answer to an inquiry for [redacted] that [redacted] was his uncle and was not at home. [redacted] was asked by SA [redacted] to identify himself and he displayed New Jersey driver's number [redacted] issued to [redacted] New Jersey.

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b7C

[redacted] invited the agents into the apartment to sit at the kitchen table, which was in front of the door. [redacted] was again displayed the credentials of the Special Agents and he carefully observed them and he stated that he was completely satisfied that the agents were employed by the Federal Bureau of Investigation, as he was at the door.

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[redacted] was told by SA [redacted] that anything he said may be used against him in a court of law, that he had a right to consult an attorney or anyone else he desired before saying anything at all. No threats, promises, or offers of reward were made in order to induce [redacted] to make any statements to the agents.

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[redacted] stated that [redacted] had rented this apartment for the past two years and that he was visiting [redacted] were

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On 1/8/66 at Union City, New Jersey File # Newark 165-663
by SAS [redacted] ROBERT J. VON TERSCH and [redacted] /jcj Date dictated 1/11/66

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b7C

2

NK 165-663

b6
b7C

out when he arrived this morning and he let himself into the apartment with his own key. He denied knowing where [redacted] could be located at that moment and he stated they would return to the apartment by 1:30 p.m. this date. [redacted] described [redacted] as follows:

Sex	Male
Race	White
Age	48-50 years old
Height	5 feet 10 inches
Weight	Average for his height - 160 pounds
Hair	Black, straight
Features	Normal
Marital Status	Married
Wife	[redacted]
Employment	[redacted]
Automobile	Drives a [redacted]

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b7C

[redacted] is unemployed. [redacted] has two telephones with numbers [redacted] on a white telephone and [redacted] on a black telephone. He voluntarily displayed these telephones to the agents. It was noted that gambling paraphernalia was on the desk-table, on which the phones were located. The white phone rang constantly during the one and a half hours the agents were in the apartment and each time [redacted] answered the phone and insisted to the caller that [redacted] was out and would not be in until 1:30 p.m. or 2 p.m.

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[redacted] that he was employed on [redacted]

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b7C

[redacted] The horserace bets were made on races to be run that day on racetracks located in Tropical Park, Florida, Charlestown, West Virginia, and other places.

[redacted] stated he did not know where [redacted] called him from and that he never made any interstate calls in connection with [redacted]

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3
NK 165-663

b6
b7C

[redacted] the agents were present because he knew that [redacted]

[redacted] He did not know whether or not [redacted] made or received any interstate calls. He denied knowing anyone named HANNA and denied having ever worked as a sitter at a Henry Street address in Jersey City, New Jersey, or anywhere else.

[redacted] insisted that [redacted] was not identical to [redacted] and that the name that appeared at the top of the page on many of the sheets of gambling data was not identical to [redacted]

b6
b7C

[redacted] He knows [redacted] as a gambler who frequently comes to this address [redacted]

[redacted] furnished the following information concerning himself:

Name	[redacted]
Sex	Male
Race	White
Date of Birth	[redacted]
	Jersey City, New Jersey
Height	5 feet 9 inches
Weight	160 pounds
Build	Slender
Hair	Black
Eyes	Brown
Scars and Marks	None
Marital Status	Married
Wife	
Residence	[redacted]
Employment	[redacted]

b6
b7C

Previous Arrests None admitted.

FEDERAL BUREAU OF INVESTIGATION

January 19, 1966

Date

An individual who said his name was [redacted] entered Apartment [redacted] New Jersey, at approximately 11:30 a.m. He was displayed the credentials of SAS [redacted] and ROBERT J. VON TERSCH. He was told that the Agents did not have a warrant of arrest for him and were present in the apartment at the invitation of [redacted] was told that anything he said could be used against him in a court of law and that he could call his attorney or anyone else he desired. No threats or promises were made to him.

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b7C

[redacted] stated that he was not also known as [redacted] and that he was not related to [redacted]. He knew this address [redacted] and that was the reason he came here. He denied being employed here. He admitted that he knew KENNETH HANNA, now in Miami, Florida. He saw 'KEN' HANNA a few months ago when he was in the New York area. He has never talked to HANNA over a long distance telephone contact for the purpose of gambling. He denied that the name [redacted] that appeared on the sheets of paper in the apartment, which contained gambling information, pertained to him.

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[redacted] stated that he had nothing on his person to prove who he was. He claimed the only thing he had in his pockets was money.

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The following description was obtained by observation and interview:

Name
Alias
Race
Sex
Date of Birth
Height

[redacted]
White
Male

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b7C

[redacted] New Jersey

5 feet 9 inches

On 1/8/66 at Union City, New Jersey File # Newark 165-663
by SAS ROBERT J. VON TERSCH and [redacted] /jcj Date dictated 1/13/66

b6
b7C

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Weight
Build
Scars and Marks
Marital Status
Wife
Children
Employment

160 pounds
Thin appearance
Prominent nose
Married

[REDACTED]
None

[REDACTED]
[REDACTED] New Jersey.

His employer is named
[REDACTED] and he has been
so employed for 3 or 4
years.

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b7C

NK 165-663

In view of the fact that agents observed gambling paraphernalia on the premises at [redacted] [redacted] the local police authorities were advised.

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b7c

On January 10, 1966, Captain [redacted], Detective Bureau, Union City Police Department, furnished the following information:

[redacted] and [redacted] were arrested on January 8, 1966, charged with bookmaking and released in \$1,000 bail. Seized at the time of the arrest was considerable evidence of numbers, sports and horse race wagering.

FEDERAL BUREAU OF INVESTIGATION

1

Date January 17, 1966

At about 12:20 p.m., January 8, 1966, an attempt was made to interview the occupant of the third floor apartment at [redacted] New Jersey.

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b7C

[redacted] landlord of the building, had advised earlier that a man named [redacted] had rented the apartment about the first of December, 1965.

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b7C

Upon knocking at the door, at about 12:20 p.m., someone inside the apartment answered "yes", but said nothing further. It was also noted that there was the smell of smoke in the hallway.

At about 12:30 p.m., a man opened the apartment door. The agents identified themselves and stated they wished to talk to this individual, who stepped back into the room, and the agents entered. The man identified himself as [redacted] New Jersey, and exhibited a New Jersey operator's license bearing that name and address. He also stated that he was a musician and exhibited a card indicating that [redacted] who was also known as [redacted] was a member of [redacted]

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b7C

It was noted that the smell of smoke was heavy in the apartment. He was asked if the apartment was on fire. He stated that he had dropped his cigar on a newspaper and set it afire and he had thrown the burning paper in the bathtub. He was asked if the bathroom could be checked and he nodded yes. It was noted that there were ashes in the bathtub, sink, and toilet bowl in the bathroom.

He was asked who [redacted] was and to this and other questions, as to what he was doing in the apartment, he answered generally that he did not intend to be rude but did not wish to say anything.

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b7C

On 1/8/66 at Union City, New Jersey File # Newark 165-633

by SAS BERTIE J. WRISTON JR., and [redacted] /jcj Date dictated 1/12/66

b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

January 18, 1966

Date _____

The following telephone calls to telephone number [redacted] located in the kitchen of the third floor apartment, [redacted] New Jersey, were received by SA BERTIE J. WRISTON, JR., between 12:39 p.m. and 1:10 p.m. on January 8, 1966:

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b7C

<u>Time</u>	<u>Name of Caller</u>	<u>Nature of Call</u>
12:39 p.m.	[redacted]	Asked for "the line".
12:38 p.m.	[redacted]	Asked for "the line"
12:40 p.m.	[redacted]	Asked for "the line"
12:40 p.m.	?	Asked for [redacted], then asked for [redacted]
12:40 p.m.	[redacted]	Asked for "the line"
12:45 p.m.	[redacted]	Asked for "the line"
12:47 p.m.	[redacted]	Asked for "the line"
12:50 p.m.	Unknown Party	Asked for [redacted]
12:51 p.m.	Unknown Male	Asked for [redacted] then said "Who is this", and hung up.
1:10 p.m.	[redacted]	Asked for "the line"

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b7C

SA [redacted] and an individual who earlier had identified himself as [redacted] New Jersey, were present at the time the above telephone calls were being received. Before receiving the first call, SA WRISTON asked [redacted] if he planned to answer the phone and [redacted] shook his head in a manner indicating he did not.

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b7C

On 1/8/66 at Union City, New Jersey File # Newark 165-633
by SAS BERTIE J. WRISTON, JR., and [redacted] /jcj Date dictated 1/12/66

b6
b7C

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b7C

Based on the occurrences at [redacted] the local authorities were advised that the premises may have been used in connection with a gambling operation.

On January 10, 1966, Captain [redacted] furnished the following information:

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Upon the arrival of his officers at the third floor apartment at [redacted] any possible physical evidence had been destroyed. Therefore, they asked the occupant, [redacted] to accompany them to Police Headquarters voluntarily. There they were met by Attorney [redacted] who demanded that [redacted] be charged or released, threatening the officers with false arrest. The officers consulted with Hudson County Assistant Prosecutor SCIPIO AFRICANO, who concluded there was insufficient evidence to charge [redacted]. [redacted] assured [redacted] availability through him.

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Captain [redacted] advised that among other items of identification, [redacted] also displayed Social Security Card [redacted] in the name of [redacted] New Jersey.

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On January 10, 1966, [redacted] Jersey City, advised that [redacted] Social Security Number [redacted] is a member in good standing. He is presently employed under the name [redacted] as an [redacted] Jersey City. [redacted] joined the local on April 19, 1952. He was born [redacted] and resides at [redacted] telephone number [redacted].

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Records of the Hudson County Bureau of Vital Statistics were checked on January 10, 1965, by SA [redacted]. Recorded under Number [redacted] was the birth of [redacted] on [redacted] New Jersey. His father's name was given as [redacted] born in Italy, age 27, occupation painter. His mother was [redacted] born in Italy, age 22. [redacted] was the second child. The birth was attended by [redacted]. There was also a notation that a correction had been made on the certificate under Correction Number 14742.

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b7C

Correction Number 14742 was entered on July 13, 1943, and changed the date of birth of [redacted] from [redacted] Proof supporting the change was a baptismal certificate. Attesting was [redacted] Jersey City, his mother.

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NK 165-663

Recorded under Number [] was the birth of []
[] Jersey City. Her father's name was given as []
born in Italy, age 29, occupation laborer. Her mother was [] born in Italy, age 24. [] was the third child. The birth was attended by []

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The following investigation was conducted by SA []

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[] Clerk, Local Board 23, Jersey City, New Jersey, on January 21, 1966, advised that [] registered with this Board for Selective Service, on June 29, 1949; he gave his date of birth as [] He was assigned Selective Service Number []

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b7C

[] said that [] indicated that he resided at [] New Jersey. The person listed as always knowing his address was [] same address. He was employed with [] New York City.

On the questionnaire completed by [] on April 11, 1951, he listed his Social Security Number as [] he graduated from high school (name not disclosed); his occupation was musician and mail clerk. [] stated that he attended [] College, location not stated, which he stated was "Veterans approved". He listed no prior military service.

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b7C

It was further recorded that in 1947, [] was treated for a broken wrist at the Medical Center, Jersey City and for foot trouble in 1951 by [] of 2854 Hudson Boulevard, Jersey City.

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FEDERAL BUREAU OF INVESTIGATION

Date January 13, 1966

[redacted] was contacted by
appointment at about 12:20 p.m. outside [redacted]
[redacted]
New Jersey, his place of employment.

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At the outset, [redacted] said that his family was
upset at the publicity given the fact that his property
was searched on January 8, 1966. He said that his wife,
[redacted] has become ill and that he therefore has
contacted an attorney. The attorney has advised the
[redacted] to direct all future inquiries to him.

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b7C

[redacted] was reminded of having been told on
January 8, 1966, that he need make no comments and he
acknowledged having understood this. He said he feels he
has nothing to hide but will, nevertheless, comply with
his attorney's wishes. When asked for his attorney's
name, he displayed a piece of paper on which was written the
name [redacted]. The interview was terminated.

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b7C

On 1/10/66 at Hoboken, New Jersey File # Newark 165-663
by SAS [redacted] and [redacted] JR. /jcj Date dictated 1/12/66

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b7C

On January 14, 1966, the following article appeared on Page 15, City-County edition of the Newark Evening News, a daily newspaper published in Newark, New Jersey.

"Federal Judge Thomas F. Meaney yesterday held a Jersey City man in contempt for refusing to comply with his order to answer certain questions before the Federal Grand Jury in its months-old investigation of interstate gambling.

Nicholas P. De Gennaro of 7 Henry St., the reluctant witness, will be sentenced today.

Attorney Peter Richards of the criminal division of the Department of Justice brought De Gennaro before Judge Meaney with a transcript of the questions the witness had refused to answer on a motion to direct De Gennaro to answer or be held in contempt.

After lengthy discussion, with Michael A. Querques of Orange, counsel for De Gennaro asking for a delay until Monday before the contempt question was decided, Judge Meaney ordered De Gennaro to return to the grand jury room and answer the questions.

The questions had to do with whether De Gennaro had any knowledge of the use of two phones in a second floor apartment at the Henry Street address. De Gennaro is the landlord. He lives on the first floor and rents the second floor.

Offered Immunity

Richards said De Gennaro had been offered immunity under the Federal Communications Act from any prosecution if he answered the questions.

Richards returned before Judge Meaney and reported that De Gennaro again refused to answer the questions. The court then ordered De Gennaro held in contempt, but paroled him in the custody of Querques until this morning to decide whether a penalty for civil or criminal contempt should be imposed.

The government attorney said he was proceeding under the civil contempt law. Judge Meaney gave Richards overnight to produce a case supporting his choice of civil contempt.

Querques asked for the delay because he said his client was subpoenaed at 7 Wednesday night, giving him no time to confer with De Gennaro or to study the law in the case. The attorney also said he represents a man arrested in Jersey City Saturday in simultaneous raids made by the FBI here and in several other states, including Florida.

Pleads for Time

Querques said he needed time to study the law and cases regarding the granting of immunity under the communications law in relation to interstate gambling charges. He said he doubted whether the immunity would extend to other laws.

Richards opposed a delay in getting answers from De Gennaro. 'It is urgent and pressing to have the answers today,' he said, 'because, otherwise, approaches may be made to the witness to keep him quiet.'

Two men were indicted by the grand jury last month on charges of perjury committed when they were interrogated regarding interstate gambling.

The grand jury inquiry was opened some months ago during which time FBI agents have made scores of arrests in this and other states on interstate gambling charges."

On January 15, 1966, the following article appeared on Page 21, Wall Street edition of the Newark Evening News:

"FBI CRACKS BOOKIE RING

Jersey City Raid One of
Several in Phone Credit Operation

The FBI said it broke up a large bookmaking operation today with coordinated raids in nine cities, getting in one spot by pretending to be delivering a carton of Scotch whiskey.

Although only two arrests were made—one in Miami and one in New York—the FBI said it seized evidence that would be presented to a grand jury. One of the raids was at 7 Henry St., Jersey City, N.J.

FBI agents in Miami said they used a chauffeur-driven Cadillac to get into the swank island apartment of Gilbert Lee Beckley, who once operated in Newport, Ky. The chauffeur carried a carton of whiskey and was flanked by two agents disguised as the donors.

Beckley looked through a peephole, saw the chauffeur and opened the door. He was not arrested.

'Blue Box' Seized

Agents said they battered down the door of Kenneth Hanna's apartment in Miami and seized an electronics device commonly known as a 'blue box'.

'This sophisticated electronic instrument is attached to a telephone or telephone line and permits the holder to utilize the long-distance network without being billed for the call', the FBI said.

At least 500 calls were made with the use of the device, the FBI said, and none were recorded by the phone company.

Hanna was arrested and charged with fraud by wire, interstate transmission of wagering information and interstate transportation in aid of racketeering.

Nat Modell, 57, of New York was arrested at his home in New York 123 West 57th St., on basis of calls made by Hanna, the FBI said.

CREDIT CARDS

The FBI said the operation was keyed to the use of credit cards for telephone calls. The cards were taken out in the names of phoney companies, the FBI said.

During a 10-month period in 1965, the FBI said, 6,592 long-distance calls were charged to these cards.

The FBI said other rains, timed to begin at 11 a.m., were on the operations of Charles Lakis, Cleveland, Ohio; Herbert Kaufman, Baltimore, Md.; The Scoreboard, Huntington, W. Va.; Eugene Nolan, Baton Rouge, La.; Sam Di Piazza, New Orleans, La., and Joe Assad, Clarksdale, Miss."

NK 165-663

b3 FRCP Rule 6(e)

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On January 20, 1966, Department of Justice Attorney
PETER R. RICHARDS, advised that [REDACTED]
represented by Attorney SIDNEY M. FRANZBLAU appeared
before the Federal Grand Jury. [REDACTED]

[REDACTED]

Mr. RICHARDS also advised that according to Attorney
FRANZBLAU, [REDACTED]

[REDACTED] He said that if called before the Federal
Grand Jury, she would repeat the information she gave Bureau
Agents on January 8, 1966.

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b7C

FEDERAL BUREAU OF INVESTIGATION

Date: February 2, 1966

[redacted] also known as [redacted] who resides at [redacted] New Jersey, furnished the following information:

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[redacted] the A. Pensa Moving and Storage Corporation, 1110 Kennedy Boulevard, Union City, New Jersey. [redacted] the Apen Realty Corporation, a family concern at the same address. The realty company owns the building at 815 12th Street, Union City. The ground floor of this building is used as a garage, with apartments on the second and third floors.

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Until January 15, 1966, the second floor apartment was occupied by [redacted] and their family.

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The third floor apartment became vacant in November, 1965, so on behalf of the Apen Realty Corporation, [redacted] advertised it in the newspaper. Responding was an individual who gave his name as [redacted]. All dealings with [redacted] at this point were by a clerical employee of the Apen Realty Corporation. [redacted] indicated that he had no furniture so, through the realty office, [redacted] agreed to provide three rooms of repossessed furniture, which he had purchased from the General Electric Acceptance Corporation for \$90. He sold it to [redacted] for \$150 or \$160, with the transaction being handled by an employee of Apen Realty. [redacted] rental began December 1, 1965, however, it was [redacted] recollection, supported by that of [redacted] that he was not regularly at the apartment until nearly mid-December. He paid his rent of \$95 at the Apen Realty office prior to December 1, 1965, and again on about December 30, 1965, for the month of January, 1966.

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b7C

[redacted] stated that on January 8, 1966, [redacted] was alarmed by the smell of smoke from the third floor apartment. Making inquiry, he actually met [redacted] for the first time. [redacted] explained, saying that he had inadvertently set fire to some newspapers. Shortly, thereafter, [redacted] became aware

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On 1/24/66 at Union City, New Jersey File # Newark 165-663

by SA [redacted] and SA FREDERICK F. MC MAHON:jgb Date dictated 1/27/66

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NK 165-663

that Federal Bureau of Investigation agents had called on [redacted] followed by a visit by Union City detectives, and [redacted] departure. b6 b7C

[redacted] said since [redacted] had neither returned nor communicated with him, he decided to make the apartment available for rental again. Accordingly, he has had the kitchen and bedroom furniture removed. [redacted] said he intended to have the apartment cleaned and has already placed an advertisement for a new tenant. He invited the interviewing agents to inspect the premises. b6 b7C

Accepting his invitation, the agents, accompanied by [redacted] went to the apartment, the door to which was standing open. Inside, the agents noted several items which [redacted] said had been abandoned by his former tenant. These items and the places where located are as follows: b6 b7C

- A. Two New Jersey Bell Telephone directories for North Bergen area, located under one leg of a coffee table in the living room;
- B. One plastic seal from bottle of J and B Scotch Whiskey found on floor under kitchen sink;
- C. Two tumblers; 1 plastic, 1 glass, located on kitchen sink drainboard;
- D. One matchbox, located on drainboard;
- E. One cigar wrapper and two dry cleaning stubs found on kitchen floor.
- F. Two pieces of cardboard with strips of plastic electrician's tape removed from bottom panes of a window, common between living room and outer hall.
- G. Two newspapers dated December 24, 1965; one "New York Herald Tribune", one "Hudson Dispatch", located on bathroom floor.

FEDERAL BUREAU OF INVESTIGATION

Date February 3, 19661

[redacted]
[redacted] New Jersey, advised that she and her husband, [redacted] formerly occupied the second floor apartment at [redacted] next door. The third floor was rented by one [redacted]

b6
b7C

[redacted] said [redacted] rented the space on December 1, 1965, however, did not move in until nearly mid-December. She said she saw [redacted] only a few times since during the period of his tenancy she was engaged in preparation for her move to her present quarters.

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b7C

On one occasion, she recalled, she picked up mail from the first floor hallway, and noticing that some of it was addressed to [redacted] carried it upstairs. She stated in response to her knock, a middle-aged woman who had been mopping the floor opened the door and took the mail. This was the only time [redacted] was ever aware that anyone besides [redacted] was present in the apartment.

b6
b7C

[redacted] said that because of her own activities, she is totally ignorant of the periods which [redacted] spent in his apartment or if, in fact, it was a bona fide residence. She never observed him using any automobile.

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b7C

On 1/24/66 at Union City, New Jersey File # Newark 165-663

by SA [redacted] and
SA FREDERICK F. MC MAHON:jgb

b6
b7CDate dictated 1/28/66

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On January 8, 1966, KENNETH HERBERT MANNA was arrested at his residence. Apartment 2, 2290 N.E. 170th Street, North Miami Beach, Florida, charged with Fraud by Wire, Interstate Transportation in Aid of Racketeering and Interstate Transmission of Wagering Information. His residence was searched pursuant to a search warrant and, among other things, the following items were seized:

1. An electronic device which can be used to defeat the telephone toll billing mechanism by supplying multi-frequency tones.
2. Two sheets of lined paper showing telephone numbers, nicknames, and code numbers, which could pertain to gambling accounts. A Xerox copy of these lists follows:

NK 165-663

As can be seen, not all the numbers concern telephone numbers located in New Jersey. An attempt will be made here to direct attention to those which may refer to New Jersey numbers and/or persons.

The third item on the left hand list appears to be as follows:

72 / [REDACTED]

b6
b7C
b7D

Records of [REDACTED]
were checked in connection with another investigation and
it was determined that [REDACTED]
[REDACTED]

[REDACTED]

b6
b7C
b7D

The above information can be made public only upon the issuance of a subpoena duces tecum which should be directed to [REDACTED]
[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

Records of [REDACTED]
[REDACTED] New Jersey, were checked in connection with another investigation. They indicated that [REDACTED]
[REDACTED]

b6
b7C
b7D

[REDACTED]
[REDACTED] No additional information regarding [REDACTED] was available.

b6
b7C
b7D

NK 105-663

b6
b7C
b7D

The above information may be made public only upon the issuance of a subpoena duces tecum. which should be directed to [REDACTED]

[REDACTED]
New Jersey, or his authorized representative.

The Address Telephone Directory for the Jersey City District, corrected to July 23, 1965, shows the Ilse Millinery and Handbag Shop at 915 Bergen Avenue, Jersey City.

Again referring to the evidence seized at the residence of KENNETH HERBERT MANNA, the number written at the top of the right hand list appears to be [REDACTED]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date March 16, 1966

Records of the [redacted]
[redacted] New Jersey, showed the following [redacted]
[redacted] listed below:

b7D

[redacted]

b6
b7C

The above information can be made public only upon
the issuance of a subpoena duces tecum which should be
directed to [redacted]

[redacted] New
Jersey, or his authorized representative.

b6
b7C
b7D

On 3/7/66 at Newark, New Jersey File # Newark 165-663

by IC [redacted] :laf Date dictated 3/9/66

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NK 165-663

It is noted that the current New Jersey Bell Telephone Directory for Jersey City lists [redacted] telephone number [redacted] which is similar to [redacted], as noted on list.

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b7C

On the first space below the double line there appears the numbers [redacted], which are crossed out. As mentioned elsewhere in this report these numbers were those of [redacted] Jersey City. In the same space there appears the numbers [redacted] Telephones bearing these numbers were located in the apartment at [redacted] in the name [redacted] was observed at this location.

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b7C

Records of [redacted] have been examined in each case where the first three digits indicate an exchange, which could be in New Jersey. In the absence of an area code, however, none of the remaining numbers can be identified with New Jersey residents except the following:

b7D

On the line marked [redacted] there appears the numbers [redacted] as is noted elsewhere in this report [redacted] is listed to [redacted] New Jersey. [redacted] is also known as [redacted] Telephone numbers [redacted] were located in an apartment at [redacted] As noted, [redacted] and [redacted] were arrested here on January 8, 1966, and charged with bookmaking.

b6
b7C

On the line marked [redacted] there appears the number [redacted] As is noted elsewhere in this report [redacted] is listed to [redacted] New Jersey. In the conversation between KEN and [redacted] which occurred on about December 3, 1965, was the following:

b6
b7C

KEN:.....Now, this guy will call you and he'll say, "this is 12, number 12 calling for KENNY".

[redacted] Yeah.

And in the same conversation:

b6
b7C

KEN:.....And if you talk with [redacted] does he call you?

NK 165-663

b6
b7C

[REDACTED]

There follows toll call information concerning certain numbers which appear on the list compiled by [REDACTED]. There is also included toll call information concerning telephone numbers listed to [REDACTED] [REDACTED], his wife's parents [REDACTED] and [REDACTED] at his [REDACTED] residence. All of these may be pertinent to this case.

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b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/14/66

Records of the [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

b6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [redacted]

[redacted] New
Jersey, or his authorized representative.

b6
b7C
b7D

On 1/12/66 at Newark, New Jersey File # Newark 165-663

by IC [redacted] /pan Date dictated 1/14/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

89

FEDERAL BUREAU OF INVESTIGATION

Date 2/4/661

Records of the [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

The above information can only be made public by the
issuance of a subpoena duces tecum. This subpoena should be
directed to [redacted]

b6
b7C
b7D

[redacted] New Jersey, or
his authorized representative.

b6
b7C
b7D

On 1/28/66 at Newark, New Jersey File # Newark 165-663

by IC [redacted] jlw Date dictated 1/31/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

1

Date 2/4/66

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C
b7D

On 1/28/66 at Newark, New Jersey File # Newark 165-663
by IC [REDACTED] /jlw Date dictated 1/31/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2

NK 165-663

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED]
New Jersey, or his authorized representative.

b6
b7C
b7D

NK 165-663

The number CI 6-1300 in New York City appears on the record above. This number also appears on the list seized during the search of the residence of KENNETH HERBERT HANNA. The number has been identified as that of the Salisbury Hotel, the residence of NATHAN MODELL, who was arrested by Bureau Agents on January 8, 1966, in connection with this case.

FEDERAL BUREAU OF INVESTIGATION

2/3/66

1

Date _____

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C

1/28/66

Newark, New Jersey

Newark 165-663

On _____ at _____ File # _____

IC [REDACTED]

jlw

b6
b7C

1/31/66

by _____ Date dictated _____

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

5

NK 165-663



b6
b7C
b7D

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to

[redacted] New Jersey, or his authorized representative.

b6
b7C
b7D

NK 165-663

The number 432-5648 appears on the above record as having been called 32 times during the period October 5, 1965 and December 17, 1965. As noted above this number is listed to the Villa Capri Restaurant, 1064 West Side Avenue, Jersey City.

The record also shows 11 calls between December 1, 1965 and December 15, 1965, to [redacted] As mentioned above, these telephones were located in the second floor apartment at [redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date 2/1/66

Records of [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

[redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [redacted]

[redacted] New
Jersey, or his authorized representative.

b6
b7C
b7D

On 1/31/66 at Newark, New Jersey File # Newark 165-663
by IC [redacted] b6 : imk 1/31/66
b7C Date dictated _____

FEDERAL BUREAU OF INVESTIGATION

Date **1/17/66**

Records of [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

[redacted]

b6
b7C
b7D

[redacted]

On **1/13/66** at **Newark, New Jersey** File # **Newark 165-663**

by **IC** [redacted] **/pan** Date dictated **1/14/66**

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NK 165-663

b6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [REDACTED]
[REDACTED] New
Jersey, or his authorized representative.

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

1

Date January 27, 1966

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C
b7D

On 1/19/66 at Newark, New Jersey File # Newark 165-663
IC [REDACTED] /jes b6
b7C
by _____ Date dictated 1/21/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

b6
b7C
b7D

2

NK 165-663

[REDACTED]

The above information can only be made public
by the issuance of a subpoena duces tecum. This subpoena
should be directed to [REDACTED]

[REDACTED]
[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

1

FEDERAL BUREAU OF INVESTIGATION

Date 1/24/66

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C
b7D

1/17/66

Newark, New Jersey

165-663

On _____ at _____ File # _____

IC [REDACTED]

b6
b7C

/amd

1/18/66

by _____ Date dictated _____

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2

NK 165-663

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/24/65

Records of the [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

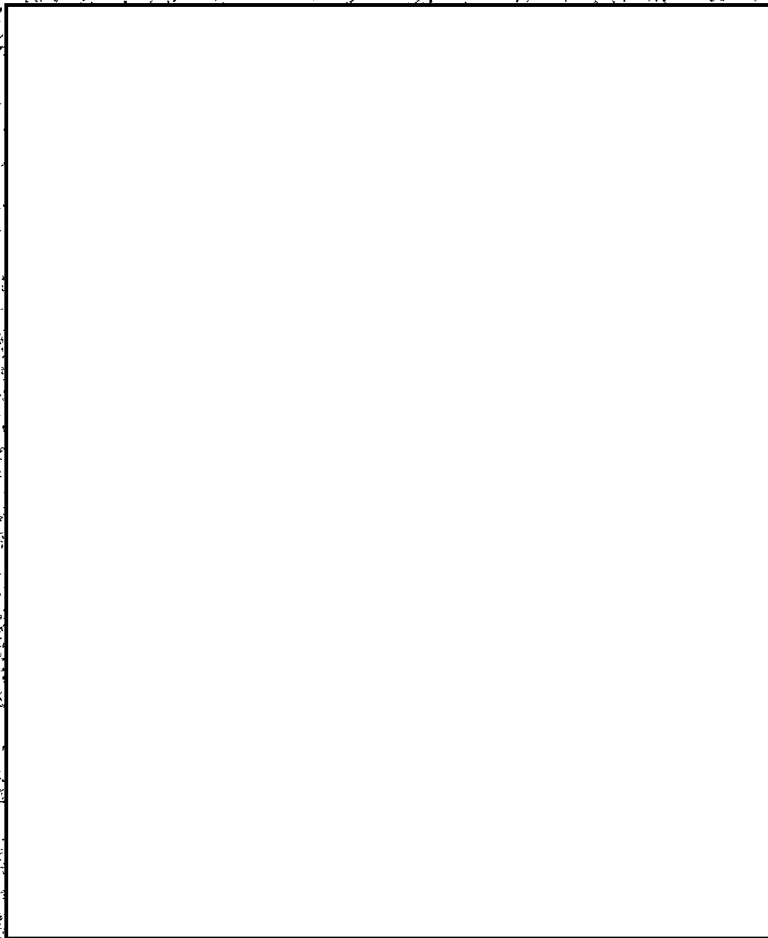
b6
b7C
b7Db6
b7C
b7D

On 1/17/66 at Newark, New Jersey File # Newark 165-663

by IC [redacted] ^{b6}_{b7C} /amd Date dictated 1/18/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

NK 165-663



b6
b7C
b7D

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

1Date January 24, 1966

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

[REDACTED]

b6
b7C
b7Db6
b7C
b7D

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7DOn 1/17/66 at Newark, N.J. File # Newark 165-663

IC [REDACTED]

/l/s

b6
b7C1/18/66

by _____ Date dictated _____

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date January 28, 1966

Records of
 New Jersey, disclosed the following information:

b7D

b6
b7C
b7D

b6
b7C
b7D

On 1/20/66 at Newark, New Jersey File # Newark 165-663

by IC /tms b6
 b7C Date dictated 1/21/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

3
NK 165-663

The above information cannot be made public
except by the issuance of a subpoena duces tecum, which
should be addressed to [REDACTED]

[REDACTED] or his authorized representative.

b6
b7C
b7D

NK 100-333

Following is information pertaining to the subscribers to certain telephones, the numbers of which were obtained as having been called from Florida, through the use of a toll-defeating device.

[redacted]

In 1946, information was received from the New York Police Department who, in turn, had received it from a source described as reliable. It was reported that several individuals in Bergen County had been using their telephones for the purpose of accepting bets on horse races and sporting events. Among the list of such persons was the name [redacted] telephone number [redacted]

b6
b7C
b7D

[redacted] advised that her husband had become indebted as a result of gambling and that shyllocks were threatening her family. On August 6, 1964, [redacted] made available an address-telephone book belonging to her husband, [redacted]. She said it contained the names and telephone numbers of persons with whom her husband gambled and to whom he had become indebted. Listed in the book was the name [redacted]. Subsequent investigation concerning [redacted] complaint developed that [redacted] and was a marital matter.

b6
b7C

[redacted]

On December 7, 1965, Captain [redacted] New Jersey State Police, West Trenton, New Jersey, advised SA [redacted] that [redacted] was one of five individuals who were arrested in a gambling raid on January 20, 1964, at [redacted] Union City, New Jersey. All were charged with bookmaking. Included in the group was KENNETH HERBERT MANNA, Federal Bureau of Investigation (FBI) #739132. Indicted on March 4, 1964, the charges against MANNA were dismissed on March 30, 1964. [redacted]

b6
b7C

VILLA CAPRI

The Villa Capri Restaurant, 1064 West Side Avenue, Jersey City, was recently purchased by one [redacted]. Previously it was reportedly owned by [redacted] and [redacted] who were reported to be major gambling figures in Hudson County, New Jersey.

b6
b7C

[redacted] was interviewed by Bureau Agents in Miami, Florida, on September 28, 1965. Included in the information furnished by him at that time was the following:

b6
b7C

[redacted] (name not revealed) [redacted] the Villa Capri Restaurant. His [redacted]

b6
b7C

[redacted] had met KENNETH HANNA about two years ago and at that time considered [redacted]

[redacted] The plan did not materialize. He knew of no gambling activities on the part of HANNA and stated that he has no connection with HANNA in any such activities.

b6
b7C

[redacted] said that, according to officials of the Internal Revenue Service, the Villa Capri is a hangout for known gamblers in the Jersey City area. He acknowledged [redacted]

b6
b7C

[redacted] New Jersey, was arrested at his home by Bureau Agents on November 13, 1965, charged with violation of the Interstate Transmission of Wagering Information Statute. He is free on \$5,000 bail awaiting action of the Federal Grand Jury.

b6
b7C

In connection with another investigation, it was determined from records of the Garden State Credit Bureau, Clifton, New Jersey, that [redacted] resides at [redacted] New Jersey.

b6
b7C

Records of the Identification Division, FBI, show that [redacted] was arrested by the Jersey City Police Department on February 7, 1958, and charged with bookmaking.

b6
b7C

It was determined that during 1964, there were numerous telephone calls to the [redacted] residence from that of [redacted] mentioned above.

b6
b7C

NK 165-663

[redacted] In addition, there is information that a [redacted]
[redacted] also of [redacted] was called
by [redacted] a New York City gambling figure.
[redacted] also had numerous calls to [redacted]

b6
b7C

The following are records of [redacted]
[redacted]
[redacted]

[redacted] The relevancy of [redacted]
[redacted] cannot be assessed at this time.

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

b7D

Date January 18, 19661

Records of [REDACTED]

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C
b7D

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

On 1/12/66 at Newark, New Jersey File # Newark 165-663

by IC [REDACTED] /lp Date dictated 1/14/66

b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

1Date January 24, 1966

Records of [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

[redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [redacted]

[redacted] New
Jersey, or his authorized representative.

b6
b7C
b7D

On 1/20/66 at Newark, New Jersey File # Newark 135-363

by IC [redacted] ^{b6}_{b7C} /cas Date dictated 1/21/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

1Date January 24, 1966

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7Cb6
b7C

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

On 1/20/66 at Newark, New Jersey File # Newark 135-663

by IC [REDACTED] /cas Date dictated 1/21/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

70

FEDERAL BUREAU OF INVESTIGATION

Date January 24, 19661

Records of [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

[redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [redacted]

[redacted] New
Jersey, or his authorized representative.

b6
b7C
b7D

On 1/20/66 at Newark, New Jersey File # Newark 165-363

by IC [redacted] /cas Date dictated 1/21/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1
FEDERAL BUREAU OF INVESTIGATIONDate 1/24/66

Records of [redacted]
[redacted] New Jersey, disclosed the following information:

b7D

b6
b7C
b7Db6
b7C
b7D

The above information can only be made public by
the issuance of a subpoena duces tecum. This subpoena should
be directed to [redacted]

[redacted]
New Jersey, or his authorized representative.

b6
b7C
b7D1/17/66Newark, New JerseyNewark 165-663

On _____ at _____ File # _____

by IC [redacted]b6
b7C/amdDate dictated 1/18/66

FEDERAL BUREAU OF INVESTIGATION

1Date January 24, 1966

Records of [REDACTED]

b7D

[REDACTED] New Jersey, disclosed the following information:

b6
b7C
b7Db6
b7C
b7D

The above information can only be made public by the issuance of a subpoena duces tecum. This subpoena should be directed to [REDACTED]

[REDACTED] New Jersey, or his authorized representative.

b6
b7C
b7D

On 1/20/66 at Newark, New Jersey File # Newark 135-333

by IC [REDACTED] ^{b6}_{b7C} /cas Date dictated 1/21/66

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FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537



REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

YOUR FILE NO. 165-592
 FBI FILE NO. 165-1990
 LATENT CASE NO. 64617

March 25, 1966

TO: SAC, Miami

RE: KENNETH HERBERT HANNA, AKA;
 NATHAN MODELL, AKA;
 ITAR; ITWI; FBW

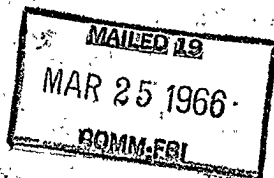
b6
 b7C

REFERENCE: Letter 3-17-66
 EXAMINATION REQUESTED BY: Miami
 SPECIMENS:

The latent fingerprints developed on the airline tickets this case, referred to in urlet, as well as the other latent fingerprints this case, not identical with fingerprints of [redacted] FBI [redacted]. No palm prints here for [redacted] for comparisons with latent palm prints.

b6
 b7C

EX 109



REC-35

MAR 28 1966

Tolson _____
 DeLoach _____
 Mohr _____
 Wick _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

PDF: wjt
 (4)

John Edgar Hoover, Director

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 TELETYPE UNIT ☐

APR 1 1966

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 3-21-66 12:30 p.m.

Reference No: 165-592

Received: 3-21-66 KM

FBI File No: 165-1990-38

Latent Case No: 64617

Answer to: SAC, MIAMI

Examination requested by: addressee

Copy to:

RE: KENNETH HERBERT HANNA, AKA;
NATHAN MODELL, AKA;
ITAR; ITWI; FBW

Date of reference communication: letter 3-17-66

Specimens:

Named suspect:

FBI

b6
b7C

Orig to Block 3/22

Result of examination:

Examination by: Evidence noted by:

*The lat fpts from Airline tickets, as well as
the other lat fpts this case, not O fpts
No pps here for compar. lat pps.*

b6
b7C

and 3-25-66

RDF: wjt

Examination completed

Time

3:10 PM. 3/24/66
[Signature]

Date

Dictated

Date

3/24/66
[Signature]

1- [Signature]

Director, FBI (165-1990)

3/17/66

ATTENTION: IDENTIFICATION DIVISION
LATENT FINGERPRINT SECTION

SAC, Miami (165-592)

(P)

KENNETH HERBERT HANNA, Aka.;
NATHAN MODELL, Aka.;
ITAR; ITWI; FBW.
(MM:OO)

Remylet, 1/28/66, and Bulet, 2/10/66.

The Identification Division is requested to refer to their Latent Case Number 64617, in which eight latent fingerprints were developed on airline tickets obtained from Subject HANNA at the time of his arrest and the search of his apartment.

The Identification Division is requested to compare these latent fingerprints with the fingerprints of [redacted] FBI Number [redacted]

(3) - Bureau
1 - Miami

WFH:GK
(4)

b6
b7c

Ans'd 3-25-66
RDF:jt

[Handwritten signature]

F B I

Date: 3/29/66

Transmit the following in _____
(Type in plaintext or code)Via **AIRTEL**

(Priority)

TO: DIRECTOR, FBI (165-1990)

FROM: SAC, NEWARK (165-663) (P)

KENNETH HERBERT HANNA, aka. ET AL
ITWI

OO: Miami

RE: Newark Radiogram to Director 1/20/66

SA [redacted] testified at a preliminary hearing in Union City, NJ, before Magistrate HAHN, on 2/4/66, against [redacted] on a local gambling charge. As a result of this hearing, Magistrate HAHN remanded the case to the Hudson County Grand Jury.

On 3/28/66, two subpoenas were received from Superior Court of New Jersey, Hudson County, NJ, commanding Special Agents [redacted] to appear before a Hudson County, NJ Grand Jury, on 4/4/66, at 9:30 a.m., to testify concerning [redacted]

SAS [redacted] will testify that [redacted] invited into the apartment at [redacted] by [redacted], that [redacted] was advised of his rights and that he admitted taking bets which he said he knew was "against [redacted]"

[redacted] arrived at the apartment some time after [redacted] interview started.

Agents will testify that evidence of bookmaking was obtained and turned over to detectives of the Union City Police Department, Union City, NJ.

Permission to testify before preliminary hearing on 4/4/66 was obtained from USA DAVID M. SATZ, JR., Newark, NJ, and his permission will again be obtained before Agents testify before GJ.

UACB, SAS [redacted] will testify as requested.

b6
b7C

5 MAR 30 1966

3 - Bureau

1 - Newark

RTV:hds

Approved: [signature]

Special Agent in Charge

Sent _____

M

Per [signature]

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Wick	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

b6
b7Cb6
b7Cb6
b7Cb6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MIAMI	OFFICE OF ORIGIN MIAMI	DATE 5/9/66	INVESTIGATIVE PERIOD 1/10 - 4/29/66
TITLE OF CASE CHANGED KENNETH HERBERT HANNA, aka Ken Hanna, Jap. Curly, Herbert Ivan Hancock; NATHAN MODELL.		REPORT MADE BY <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	TYPED BY ljb
		CHARACTER OF CASE ITAR; ITWI; FBW	

Title marked changed to reflect the use of the alias
of HERBERT IVAN HANCOCK.

REFERENCES: Report of SA at Miami dated 1/13/66.
 Reports of SA at New York dated 1/14/66 and 2/16/66.
 Report of SA at Newark dated 3/24/66.

-P-

LEADS:

ATLANTA:

AT ATLANTA, GEORGIA

Case has been: Pending over one year ☐ Yes ☒ No; Pending prosecution over six months ☐ Yes ☒ No

APPROVED COPIES MADE: <div style="margin-left: 40px;"> 3- Bureau (165-1990) SEE PAGE B FOR COPIES 6- Miami (4- 165-592) (1- 162-341) (HANNA) (1- 92-353) </div>	SPECIAL AGENT IN CHARGE <div style="text-align: center; font-size: 2em; margin-top: 20px;"> </div>				
DO NOT WRITE IN SPACES BELOW					
<div style="display: flex; justify-content: space-between;"> 165-1990-40 MCT-42 </div>					
<div style="display: flex; justify-content: space-between;"> 1 MAY 18 1966 REC-32 </div>					
Dissemination Record of Attached Report					
Agency	Request Recd.	Date Fwd.	How Fwd.	By	Notations
	CC, AAG Criminal Division, Organized Crime Racketeering Section				<div style="font-size: 1.5em;"> 23-106 MAY 23 1966 STAT. SECT. </div>

50 MAY 23 1966

MM 165-592

COPIES:

- 1- USA, Miami, Florida (Attention:
Departmental Attorney BRIAN GETTINGS
and WALLACE JOHNSON)
 - 2- Atlanta (165-265)
 - 1- Baltimore (165-428) (Info)
 - 1- Dallas (165-232) (Info)
 - 1- Detroit (165-450) (Info)
 - 1- Los Angeles (Info)
 - 2- Newark (165-663)
 - 2- New York (165-1344)
-

1. Will continue investigation concerning HANNA's activities at the "Paperback Book Mart" to determine if HANNA is engaged in gambling there.

2. Will alert appropriate confidential informants for coverage of HANNA.

NEWARK:

AT NEWARK, NEW JERSEY

Newark is requested to interview a selective number of individuals identified in referenced Newark report and in the notes and address book of HANNA's in an effort to develop witnesses concerning HANNA's gambling activities.

NEW YORK:

AT NEW YORK, NEW YORK

Examine the address book and notes of NATHAN MODELL and KENNETH HERBERT HANNA in an effort to develop witnesses that can testify that NATHAN MODELL was in the business of gambling in New York and KENNETH HERBERT HANNA was in the business of gambling in Miami, Florida.

MM 165-592

b6
b7C

New York is specifically requested to identify and interview [redacted] [redacted] may possibly be identified by MODEL's notebook as [redacted] These individuals apparently wagered with MODEL and possibly could be witnesses to his gambling activities.

MIAMI:

AT MIAMI, FLORIDA

1. Will interview selective number of individuals listed in HANNA's address book, telephone index and notes to determine additional witnesses who could and will testify that HANNA was in the business of gambling.

b6
b7C

2. Will coordinate investigation with the case captioned [redacted] et al, ITWI, Bufile 165-594, OO: Miami" and the case captioned [redacted] et al, ITWI; ITAR - FBW, OO: Los Angeles".

3. Will follow the prosecutive action of HANNA and MODEL in Miami.

ADMINISTRATIVE:

Information copies are being designated for Baltimore, Dallas and Detroit in view of the possibility that HANNA's associates may be utilizing "Blue Box" there.

b6
b7C

An information copy of this report is also being submitted to Los Angeles in view of investigation being conducted concerning "Blue Box" in the case captioned [redacted] [redacted], UNSUBS, ITAR - GAMBLING; ITWP; FBW - CONSPIRACY, OO: Los Angeles".

The activities of KENNETH HANNA in this case is related to the activities of the individuals in the case captioned [redacted] et al, ITWI, Bufile 165-1999". The [redacted] case involves various gamblers throughout the United States who have

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utilized telephone credit cards of fictitious businesses, etc., for the payment of long distance telephone charges resulting from the gambling activities.

The Departmental Attorney, WALLACE JOHNSON, advised SA [] on April 28, 1966 that consideration was being given to indicting KENNETH HANNA along with others in the credit card case in which [] is the principal subject.

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Dubbed copies of the magnetic recording tapes made by [] relating to conversations between KENNETH HANNA and [] and between [] and KENNETH HANNA have been forwarded to the Atlanta and Detroit Offices respectfully.

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The magnetic recording tapes made by [] have been reviewed again by the Miami Office. It appears that from the information set forth in the referenced report of SA [] at Newark, dated March 24, 1966, that the [] called by HANNA is identical to [] who was operating at [] New Jersey, and that the [] referred to in these calls is []. It is also apparent that the records which HANNA referred to in some of these calls were burned by [] on January 8, 1966.

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The Miami Office, in reviewing these magnetic recording tapes, did not locate any information not already furnished to Newark, which would be of assistance in the prosecution of []. The only possibility in this regard would be the location of independent witnesses who could testify to the association of HANNA, [] and to their exchange of betting lines, wagers, etc.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1- United States Attorney, Miami, Florida (Attention:
Department Attorney BRIAN GETTINGS and WALLACE JOHNSON)

Report of:

[REDACTED]

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Office: MIAMI, FLORIDA

Date:

May 9, 1966

Field Office File #: 165-592

Bureau File #: 165-1990

Title:

KENNETH HERBERT HANNA;
NATHAN MODELL

Character:

INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis:

Federal Grand Jury, Miami, Florida, on 2/16/66, indicted KENNETH HERBERT HANNA for violation Title 18, Section 1343, 1084 and 1952. NATHAN MODELL also indicted same time for violation Section 1084, and Section 1952, Title 18. Trial date set for United States District Court, Miami, Florida, 9/12/66. Evidence seized on 1/8/66 in search of HANNA's apartment analyzed and set forth.

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DETAILS:

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RESIDENCE

[REDACTED]
Florida, advised Special Agent [REDACTED] on April 28, 1966 that the HANNA's have moved from Apartment 2 of the apartments at that address. [REDACTED] said he believes that the HANNA's have moved out of the Miami area, address unknown.

BUSINESS

Investigation by the Atlanta Division revealed that a new book store known as the "Paperback Book Mart" has recently been opened at 975 Peachtree Street, N.E., Atlanta, Georgia.

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On April 12, 1966, [redacted] Georgia State Tax Unit, Atlanta, Georgia, advised that on March 25, 1966, the Paperback Book Mart, Inc., opened as a retail establishment at 975 Peachtree Street, N.E., Atlanta, Georgia. The principal officers for this company were listed as KENNETH HERBERT HANNA, President; [redacted] Vice President and [redacted] Secretary-treasurer. HANNA provided his residence as being [redacted] Georgia and [redacted] listed his residence as being [redacted] Ohio.

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It was determined that the telephone number 872-4046 is the listed telephone number for the Paperback Book Mart, Inc., 975 Peachtree Street, N.E., Atlanta, Georgia, and that this service was installed on March 1, 1966.

It should be noted that [redacted] Georgia, is occupied by [redacted] a close friend and associate of [redacted]

STATUS OF PROSECUTION

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INDICTMENT:

On January 20, 1966, a Federal Grand Jury in Miami, Florida, indicted KENNETH HANNA on one count each, Title 18; United States Code, Section 1083, 1343, and 1952.

On February 16, 1966, the Federal Grand Jury in Miami, Florida, filed a five count True Bill indictment against KENNETH HANNA and NATHAN MODELL. Three counts charged HANNA with violation, Title 18, Section 1343, 1084, and 1952. Two counts charged NATHAN MODELL with violation Section 1082 and 1952. This indictment supersedes the prior indictment of HANNA's.

KENNETH HANNA was subsequently arraigned on this indictment and continued on \$5,000 bond.

MAGNETIC RECORDING TAPES:

After obtaining prior authorization from Departmental Attorney WALLACE JOHNSON, JAMES HOGAN, KENNETH HANNA and a court reporter, [redacted], came to the Miami Office of the FBI

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on February 18, 1966 to listen to the magnetic recording tapes made by the Southern Bell Telephone and Telegraph Company in connection with their investigation of HANNA and his use of a "Blue Box". Mr. HOGAN, HANNA and the court reporter listened to only a portion of one tape and attempted to transcribe the contents of same. Mr. HOGAN discontinued this effort, and stated he would attempt to obtain magnetic tape copies of the tapes by a petition in court.

On March 7, 1966, BEN COHEN and JAMES HOGAN, counsel for HANNA, appeared in United States District Court, Miami, Florida, in connection with motion relative to the magnetic tapes in this case. It was agreed in court that the FBI furnish the defense counsel for HANNA the tape copies of magnetic tapes made by the Southern Bell Telephone and Telegraph Company.

The FBI Laboratory subsequently made identical tape copies (dubbing) of these tapes and they were given to Mr. JAMES HOGAN on March 22, 1966.

MOTION:

On April 27, 1966, Departmental Attorney WALLACE JOHNSON advised that the defense council for HANNA had filed motion in United States District Court, Miami, Florida, to suppress evidence in this case.

TRIAL DATE:

On April 27, 1966, Departmental Attorney WALLACE JOHNSON advised that the trial in this case had been set for United States District Court, Miami, Florida, to begin on September 12, 1966.

TELEPHONE BILLS OF KENNETH HANNA

FEDERAL BUREAU OF INVESTIGATION

1Date February 11, 1966

[redacted]

made available Photostats of two phone bills which contained the following information:

The telephone bill for telephone 945-9655, Miami, in the name KENNETH HANNA, 2290 N. E. 170th Street, Apartment 2, North Miami Beach, Florida. This bill, which is for the billing period ending January 11, 1966, contains one long distance toll charge for a telephone call made on December 22, 1965, to Dorchester, Massachusetts, telephone [redacted]

The charge for this call was eighty cents. The total bill for telephone number 945-9655 for that billing period was \$8.05.

The second telephone bill made available by [redacted] is for Miami telephone number 945-9723 which is subscribed to by KENNETH HANNA, 2290 N. E. 170th Street, Apartment 2, North Miami Beach, Florida, and this bill is for the billing period ending January 11, 1966. This bill contains one long distance telephone call made on December 26, 1965, to Newport, Rhode Island, telephone number [redacted]. The toll charge for this call was \$1.08. The total amount for this bill was \$25.19. This bill, however, included the charges for the period December 17, 1965, to January 10, 1966.

The photostatic copies made available by [redacted] are being retained as evidence.

4

On 2/2/66 at Malabar, Florida File # Miami 165-592
by SA [redacted] mer Date dictated 2/8/66

KENNETH HANNA 305 945 9655
2290 NE 170 ST 360
APT 2 JAN 11 1966
N MIA BCH FLA 33160 N DADE 044

LIST OF CALLS

1-SECRET

EXPLANATION

FORM 3106A
(9-64)

DATE		PLACE CALLED	T AMOUNT	BILLING NUMBER	CONN. TIME	MINS.	C
1222	DORCHESTER MASS	[REDACTED]		08 915 2655			b6 00 b7C
		80	02	32	202		
TOTAL EXCL. TAX		FED. TAX		TOTAL INCL. TAX			

KENNETH HANNA. 305 945 9723
2290 NE 170 ST 427
Apt 2 JAN 11 1966
N DIA BCH FLA 33160 N DADE 044

T-SEE REVERSE FOR EXPLANATION

DATE		PLACE CALLED	T	AMOUNT	BILLING NUMBER	CONN. TIME	MIN.	C
1226		NEWPORT RI	1	180	945 9723	17310		
		180	05	185	202			
TOTAL EXCL. TAX		FED. TAX		TOTAL INCL. TAX				

1 27	11 02
CALLS	1 85
ADV.	12 32
O.C.C.	
BAL.	25 19
TOT.	
/	
BAL	

0128 0 11

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
PAGE 001 OTHER CHARGES AND CREDITS
SN652-2DP (2)
(8/65)
945 9723

PHRASE CODE	TAX #	NO. OF ITEMS	MONTHLY RATE	PERIOD		CHARGE OR CREDIT
				FROM	THROUGH	
25				12/17/65		10 50
09	*	2	10	12/17/65	1/10/66	1 61
				LOCAL TAX		16
FEDERAL TAX*						05
TOTAL CHARGE OR CREDIT CARRIED TO BILL						12 32

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TEST OF "BLUE BOX"

FEDERAL BUREAU OF INVESTIGATION

1.

Date January 25, 1966

At the office of [redacted] b6
[redacted] a b7C
test of the "Blue Box" was made [redacted] made this test
with the assistance of [redacted]
[redacted] This test was
conducted in the presence of SA [redacted]

[redacted] connected the portable "Blue Box" b6
detection unit to Miami Telephone Number [redacted] which b7C
telephone is located in [redacted] office.

At 1:32 p.m. on January 19, 1966, [redacted] using
the "Blue Box." completed a telephone call to Telephone
Number [redacted] which is the telephone of [redacted]

[redacted] b6
Pennsylvania, Philadelphia, Pennsylvania. [redacted] made b7C
this call by dialing the Universal Information Operator
and then used the "Blue Box" to supply the multi-frequency
tones. He spoke to [redacted] a secretary in [redacted]
[redacted] office.

At 1:36 p.m. [redacted] made a second call to
[redacted]
[redacted] Atlanta, Georgia, at telephone number b6
[redacted] completed this call and spoke with b7C
[redacted] In making this telephone call he again
dialed the Universal Information Operator and followed this
with the multi-frequency pulsing of the "Blue Box."

[redacted] advised that the above test established
that this device was working and when used would allow
long-distance telephone calls to be made without the
calling party being billed.

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On 1/19/66 at Miami, Florida File # Miami 165-592

SA [redacted] bjc b6
by [redacted] b7C Date dictated 1/19/66

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2.

A magnetic recording tape of the two calls made with the portable "Blue Box" detection unit was made and has been retained.

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EVIDENCE SEIZED JANUARY 8, 1966
IN SEARCH OF KENNETH HANNA'S APARTMENT
AND INVESTIGATION RELATING THERETO

LATENT FINGERPRINTS FOUND ON "BLUE BOX":

By communication dated January 26, 1966, the Identification Division of the FBI advised that the latent fingerprints lifted from the "Blue Box" and submitted to the Latent Fingerprint Section of the Identification Division, by the Miami Office, contained one palm print of value.

AIRLINE TICKETS:

In search of KENNETH HANNA's apartment on January 8, 1966, seven airline tickets were seized. These tickets were listed as Item 12 in the inventory of the material seized. These airline tickets were all purchased with American Express Credit Cards.

On January 28, 1966, [redacted] American Express Company, Miami, Florida, advised that these tickets were purchased with American Express Credit Cards that have been reported stolen or not received by the person to whom the credit card was issued. [redacted] also advised that other airline tickets have been purchased on these same credit cards and that apparently someone was selling airline tickets at a discount price using stolen credit cards to obtain the tickets.

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Copies of these tickets are set out hereafter in this report.

ISSUED BY NORTHEAST AIRLINES, INC. Logan International Airport, East Boston 28, Mass.		PASSENGER TICKET AND BAGGAGE CHECK FLIGHT COUPON NO. 1		011:410:779:723	
Subject to Conditions of Contract the reverse side of Passenger Coupon					
FOR ISSUING OFFICE ONLY		COMPLETE ROUTING THIS TICKET AND		CONJUNCTION TICKET(S)	
FROM/TO	CARRIER	FARE Calculation	ORIGIN	Form	Serial
			DESTINATION	Form	Serial
ISSUED IN EXCHANGE FOR			DATE AND PLACE OF ORIGINAL ISSUE		
ACCT. DEPT. USE ONLY					
ENDORSEMENTS					
BAGGAGE		VALID UNTIL	FARE CLASS / BASIS		
FREE ALLOW	Checked Pts.	Unck'd Wt.	FROM	VIA CARRIER	FLIGHT Number
			TO		
			TO		
			TO		
FARE	18880				
EQUIVALENT AMOUNT PAID	944				
TAX	8191.34				
TOTAL	8191.34				
NAME OF PASSENGER			NOT TRANSFERABLE		
FORM OF PAYMENT			If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage.		

DATE AND PLACE OF ISSUE
OR THIS TICKET
AIRLINES, INC.
AUG 10 1966
5TH AVE. TICKET OFFICE
NEW YORK, N.Y.

b6
b7C

ISSUED BY NORTHEAST AIRLINES, INC. Logan International Airport, East Boston 28, Mass.		PASSENGER TICKET AND BAGGAGE CHECK FLIGHT COUPON NO. 1		011:410:779:722	
Subject to Conditions of Contract the reverse side of Passenger Coupon					
FOR ISSUING OFFICE ONLY		COMPLETE ROUTING THIS TICKET AND		CONJUNCTION TICKET(S)	
FROM/TO	CARRIER	FARE Calculation	ORIGIN	Form	Serial
			DESTINATION	Form	Serial
ISSUED IN EXCHANGE FOR			DATE AND PLACE OF ORIGINAL ISSUE		
ACCT. DEPT. USE ONLY					
ENDORSEMENTS					
BAGGAGE		VALID UNTIL	FARE CLASS / BASIS		
FREE ALLOW	Checked Pts.	Unck'd Wt.	FROM	VIA CARRIER	FLIGHT Number
			TO		
			TO		
			TO		
FARE	18880				
EQUIVALENT AMOUNT PAID	944				
TAX	8191.34				
TOTAL	8191.34				
NAME OF PASSENGER			NOT TRANSFERABLE		
FORM OF PAYMENT			If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage.		

DATE AND PLACE OF ISSUE
OR THIS TICKET
AIRLINES, INC.
AUG 10 1966
5TH AVE. TICKET OFFICE
NEW YORK, N.Y.

b6
b7C

ISSUED BY



EASTERN AIR LINES

PASSENGER TICKET
AND BAGGAGE CHECK
FLIGHT COUPON NO. 1

DATE OF ISSUE

FOR ISSUING OFFICE ONLY

CARRIER FARE CALCULATION

AIRLINE FORM SERIAL NUMBER

007:101 :113:248

SOLD SUBJECT TO CONDITIONS OF CONTRACT ON PAGE 2

If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage.

PASSENGER NAME NOT TRANSFERABLE ORIGIN

b6

11 18 65

DESTINATION b7C

ISSUED IN EXCHANGE FOR

DESIGNATOR ACCT. DEPT. USE ONLY

DATE AND PLACE OF ORIGINAL ISSUE

GOOD FOR PASSAGE BETWEEN POINTS OUTLINED

FARE BASIS CARRIER FLIGHT/CLASS DATE TIME STATUS ALLOW.

FROM

MIAMI

F

EA

10

11

23

Am

DL

TO

KENNEDY

BAGGAGE
CHECKED
UNCHECKED

PCR

UNCK.

WT.

FARE
CONJUNCTION TICKET (W)

DATE AND PLACE OF ISSUE OF THIS TICKET

FORM OF PAYMENT

Amex/CC

ENDORSEMENTS

FARE

94.40

TOTAL

99.12

ROUTE CODE

CPN

TICKET NUMBER

1 007 101113248 5

TAX

4.72

CITY

AMT. PA.

ISSUED BY NATIONAL AIRLINES, INC.		PASSENGER TICKET AND BAGGAGE CHECK FLIGHT COUPON NO. 1		AIRLINE FORM SERIAL NUMBER 010:112 795:501	
SOLD SUBJECT TO CONDITIONS OF CONTRACT ON PASSENGER'S COUPON		DATE OF ISSUE		FOR ISSUING OFFICE ONLY	
If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage		ORIGIN b6 DESTINATION b7C		FARE CALCULATION FARE 136.40	
DESIGNATOR ACCT. DEPT. USE ONLY		ISSUED IN EXCHANGE FOR		DATE AND PLACE OF ISSUE OF THIS TICKET	
DATE AND PLACE OF ORIGINAL ISSUE		DATE AND PLACE OF ISSUE OF THIS TICKET		ENDORSEMENTS	
GOOD FOR PASSAGE BETWEEN POINTS OUTLINED		FARE BASIS CARRIER FLIGHT/CLASS DATE TIME STATUS ALLOW.		CONJUNCTION TICKETS	
FROM MIAMI		Y NA 25 6 40 PM OK		FORM OF PAYMENT CC MEX 001-089305-5	
TO LAS VEGAS		BAGGAGE CHECKED UNCHECKED		ENDORSEMENTS	
FARE 136.40 TAX 6.82 TOTAL 143.22		ROUTE CODE CPN		TICKET NUMBER 1 010 112795501 0	

ISSUED BY EASTERN AIR LINES		PASSENGER TICKET AND BAGGAGE CHECK FLIGHT COUPON NO. 1		AIRLINE FORM SERIAL NUMBER 007:112 :254:567	
SOLD SUBJECT TO CONDITIONS OF CONTRACT ON PAGE 2		DATE OF ISSUE		FOR ISSUING OFFICE ONLY	
If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage		ORIGIN b6 DESTINATION b7C		FARE CALCULATION	
DESIGNATOR ACCT. DEPT. USE ONLY		ISSUED IN EXCHANGE FOR		DATE AND PLACE OF ISSUE OF THIS TICKET	
DATE AND PLACE OF ORIGINAL ISSUE		DATE AND PLACE OF ISSUE OF THIS TICKET		ENDORSEMENTS	
GOOD FOR PASSAGE BETWEEN POINTS OUTLINED		FARE BASIS CARRIER FLIGHT/CLASS DATE TIME STATUS ALLOW.		CONJUNCTION TICKETS	
FROM MIAMI		F EA 16 NOV 1230 PM OK		FORM OF PAYMENT NON REF	
TO NEW YORK		BAGGAGE CHECKED UNCHECKED		ENDORSEMENTS	
FARE 94.40 TAX 4.72 TOTAL 99.12		ROUTE CODE CPN		TICKET NUMBER 1 007 112254567 5	

ISSUED BY		PASSENGER TICKET AND BAGGAGE CHECK FIGHT COUPON NO.		AIRLINE FORM		SERIAL NUMBER	
NATIONAL AIRLINES, INC.		1		010:112		795:509	
SOLD SUBJECT TO CONDITIONS OF CONTRACT ON PASSENGER'S COUPON				DATE OF ISSUE			
IF THE PASSENGER'S JOURNEY INVOLVES AN ULTIMATE DESTINATION OR STOP IN A COUNTRY OTHER THAN THE COUNTRY OF DEPARTURE, THE				17 DEC '65			
WHICH CARRIAGE MAY BE APPLICABLE AND THE CARRIAGE GENERAL AND/OR MOST CASES LIMITS THE LIABILITY OF CARRIAGE FOR				ISSUED IN EXCHANGE FOR			
PASSENGER NAME				DATE AND PLACE OF ORIGINAL ISSUE			
NOT TRANSFERABLE				TICKET DESIGNATION			
ORIGIN				ACCT. DEPT. USE ONLY			
DESTINATION				FARE BASIS			
b6				CARRIER			
b7c				FLIGHT CLASS			
DATE AND PLACE OF ISSUE OF THIS TICKET				DATE			
GOOD FOR PASSAGE BETWEEN POINTS OUTLINED				TIME			
FROM				STATUS			
LAS VEGAS				ALLOW.			
FARE				CONJUNCTION TICKETS			
Y				FORM OF PAYMENT			
NA				AM EXP - 040 660 1070			
22				ENDORSEMENTS			
1/4				30			
3				OK			
P							
OK							
MIAMI							
CHECKED							
UNCHECKED							
WT.							
FARE				TICKET NUMBER			
136.40				1 010 112795509 1			
TAX							
6.82							
TOTAL							
143.22							
ROUTE CODE							
GPM							
ROUTE							
AIRLINE							
CARRIER							
FLIGHT CLASS							
DATE							
TIME							
STATUS							
ALLOW.							

ISSUED BY		EASTERN AIR LINES		PASSENGER TICKET AND BAGGAGE CHECK FLIGHT COUPON NO. 1		FOR ISSUING OFFICE ONLY		AIRLINE FORM		SERIAL NUMBER	
SOLD SUBJECT TO CONDITIONS OF CONTRACT ON PAGE 2		If the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage		DATE OF ISSUE		FROM/TO		CARRIER		FARE CALCULATION	
PASSENGER NAME		NOT TRANSFERABLE		ORIGIN		ISSUED IN EXCHANGE FOR					
				b6		b7c					
				DATE AND PLACE OF ORIGINAL ISSUE							
GOOD FOR PASSAGE BETWEEN POINTS OUTLINED		FARE BASIS		CARRIER		FLIGHT/CLASS		DATE		TIME	
FROM											
MIAMI		F		EA		10 F		11/63		930 AM	
TO											
KENNEDY											
FARE		TOTAL		ROUTE CODE		CARRIER		TICKET NUMBER			
94.40		99.12						1 007 101113245 2			
TAX											
4.72											
DATE AND PLACE OF ISSUE OF THIS TICKET		CONJUNCTION TICKETS		FORM OF PAYMENT		ENDORSEMENTS					
				America new ref							

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The above airline tickets were submitted to the Identification Division of the FBI on January 28, 1966 for a latent fingerprint examination.

By communication dated February 10, 1966, the Identification Division of the FBI reported that six latent fingerprints and one latent palm print of value were developed on ticket number 010112795501. Two latent fingerprints of value were developed on ticket number 010112795509. No latent impressions of value were developed on the other tickets. Identification Division also advised that the above developed latent fingerprints were not identical with the fingerprints of KENNETH H. HANNA, FBI Number 739132 or FRANCIS EARL CONNER, FBI Number 3301154.

By communication dated March 25, 1966, the Identification Division of the FBI advised that the latent fingerprints found on the above airline tickets were not identical with the fingerprints of [REDACTED] FBI Number [REDACTED]

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HOTEL BILL, HOTEL SALISBURY, NEW YORK:

In search of HANNA's apartment on January 8, 1966, there was found a hotel bill of the Hotel Salisbury, 123 West 57th Street, New York. This bill was listed as Item 16 in the inventory of the material seized. It shows that KENNETH HANNA is a friend of Mr. MODELL in Room 507. A copy of this bill is set forth herewith in this report.

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

LOCAL
PHONE
CALLS

1716 Hanna, Mr. Ken 1
1213 Heleigus Ave
Ft. Pierce, Florida



Hotel Salisbury

123 WEST 57th ST.
NEW YORK 19, N. Y.
Circle 6-1300

\$15.00

DATE	REFERENCE	CHARGES	CREDITS	BALANCE	PICK-UP
JUL 27	ROOM 1716	C 15.00			
JUL 27	TAX 1716	C .75		* 15.75 *	
JUL 28	ROOM 1716	C 15.00			
JUL 28	TAX 1716	C .75		* 31.50 *	
<p>HOTEL SALISBURY RECEIVED JUL 29 1934 PER <i>Keller</i></p>					

Code. D-Unit Phone. E-News. F-Teleg. G-Cash. H-Misc.
J-Repairs & Maint. K-Equip. L-A/C/TV. M-Advance Payment

REMARKS

Friend of Mr. Modell 507

TRANSFER TO CITY LEDGER

Guest's
Signature

Charge To

Address

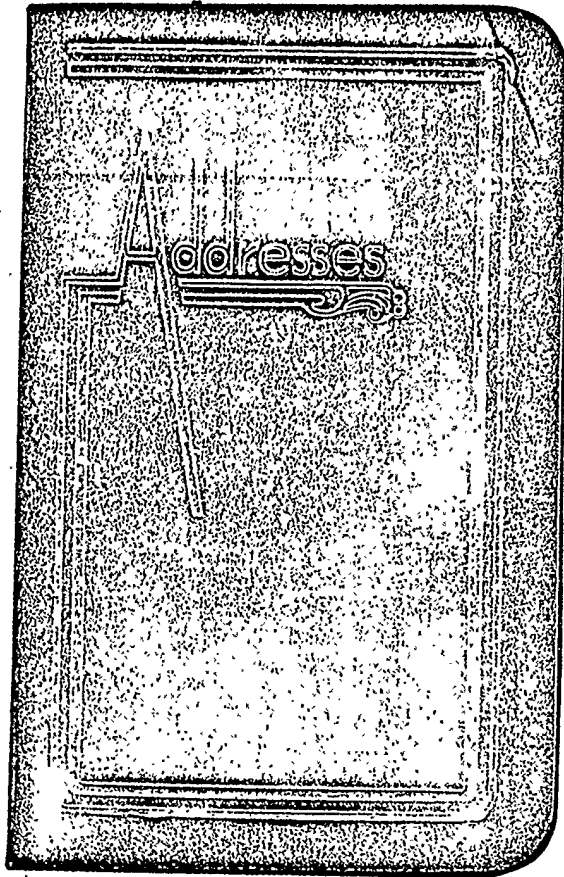
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ADDRESS BOOK:

In connection with the search of HANNA's apartment on January 8, 1966, an address book containing names and telephone numbers was found. This address book was listed as Item 5 in the inventory of the material seized. A similar address book was also taken from the person of KENNETH HANNA when he was arrested on January 8, 1966. The address book found on HANNA's person contained names, addresses and telephone numbers which had been crossed out. The address book found in the apartment appears to be a newer and revised book and a copy of the contents of this book found in the apartment is hereafter set out.

This book is being set forth to assist in the investigation of HANNA and in the identification of his gambling associates.

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<i>Addresses</i>	
	A
	B
	C
	D
	E
	F
	G
	H
	I
	J
	K
	L
	M
	N
	O
	P
	Q
	R
	S
	T
	U
	V
	W
	X
	Y
	Z

Addresses

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Addresses

<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	B C D E F G H I J K L M N O P Q R S T U V W X Y Z
<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	
<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	
<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	<p>Name _____</p> <p>Street _____</p> <p>City _____</p> <p>Telephone _____</p>	
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MM 165-592

Addresses		Addresses	
Name		Name	
Street		Street	b6
City		City	b7C
Telephone		Telephone	
Name		Name	
Street		Street	
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MM 165-592

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MM 165-592

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Addresses		Addresses		b6 b7C
Name		Name		D
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Telephone		Telephone		G
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City		City		J
Telephone		Telephone		K
Name		Name		L
Street		Street		M
City		City		N
Telephone		Telephone		O
Name		Name		P
Street		Street		Q
City		City		R
Telephone		Telephone		S
Name		Name		T
Street		Street		U
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Addresses

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Addresses

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MM 165-592

25

Addresses		Addresses	
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z		Name	
		Street	
		City	
		Telephone	
		Name	
		Street	
		City	
		Telephone	
		Name	
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MM 165-392

Addresses		Addresses	
Name		Name	
Street		Street	
City		City	
Telephone		Telephone	
Name		Name	
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City		City	
Telephone		Telephone	
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Telephone		Telephone	
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Street		Street	
City		City	
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MM 165-592

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Addresses		Addresses	
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
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City	_____	City	_____
Telephone	_____	Telephone	_____
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Telephone	_____	Telephone	_____

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MM 165-592

Addresses		Addresses	
Name	_____		G H I J K L M N O P Q R S T U V W X Y Z
Street	_____		
City	_____		
Telephone	_____		
Name	_____		
Street	_____		
City	_____		
Telephone	_____		
Name	_____		
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Name	_____		
Street	_____		
City	_____		
Telephone	_____		

MM 165-592

b6 b7C Addressees		Addressees
Name		Name
Street		Street
City		City
Telephone		Telephone
Name		Name
Street		Street
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Telephone		Telephone
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Street		Street
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Telephone		Telephone
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Street		Street
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Telephone		Telephone
Name		Name
Street		Street
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Telephone		Telephone

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Addressee		Addressee	
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
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Telephone	_____	Telephone	_____

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MM 165-592

31

Addresses		Addresses	
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
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Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____

MM 165-592

32

Addresses		Addresses	b6 b7C
Name	_____		V I E Z O I a I R S T C U V W X Y Z
Street	_____		
City	_____		
Telephone	_____		
Name	_____		
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Street	_____		
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Telephone	_____		

Addresses		Addresses		b6 b7C
Name	_____	Name		L M N O P Q R S T U V W X Y Z
Street	_____	Street		
City	_____	City		
Telephone	_____	Telephone		
Name	_____	Name		
Street	_____	Street		
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City	_____	City	_____
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Street	_____	Street	_____
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Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____
Name	_____	Name	_____
Street	_____	Street	_____
City	_____	City	_____
Telephone	_____	Telephone	_____

MM 165-592

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Addressee		Addresses
Name	Mr. J. J. J.	
Street	123 St.	
City	123 St.	
Telephone	123 St.	
Name	Mr. J. J. J.	
Street	123 St.	
City	123 St.	
Telephone	123 St.	
Name	Mr. J. J. J.	
Street	123 St.	
City	123 St.	
Telephone	123 St.	
Name	Mr. J. J. J.	
Street	123 St.	
City	123 St.	
Telephone	123 St.	
Name	Mr. J. J. J.	
Street	123 St.	
City	123 St.	
Telephone	123 St.	

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Addresses		Addresses	
Name	900 17	Name	[REDACTED]
Street	1000 2	Street	
City	1000 3	City	
Telephone	1000 4	Telephone	
Name	900 5	Name	[REDACTED]
Street	1000 6	Street	
City	1000 7	City	
Telephone	1000 8	Telephone	
Name	900 9	Name	[REDACTED]
Street	1000 10	Street	
City	1000 11	City	
Telephone	1000 12	Telephone	
Name	900 13	Name	[REDACTED]
Street	1000 14	Street	
City	1000 15	City	
Telephone	1000 16	Telephone	
Name	900 17	Name	[REDACTED]
Street	1000 18	Street	
City	1000 19	City	
Telephone	1000 20	Telephone	

Addresses		Addresses	
Name	Street	Name	Street
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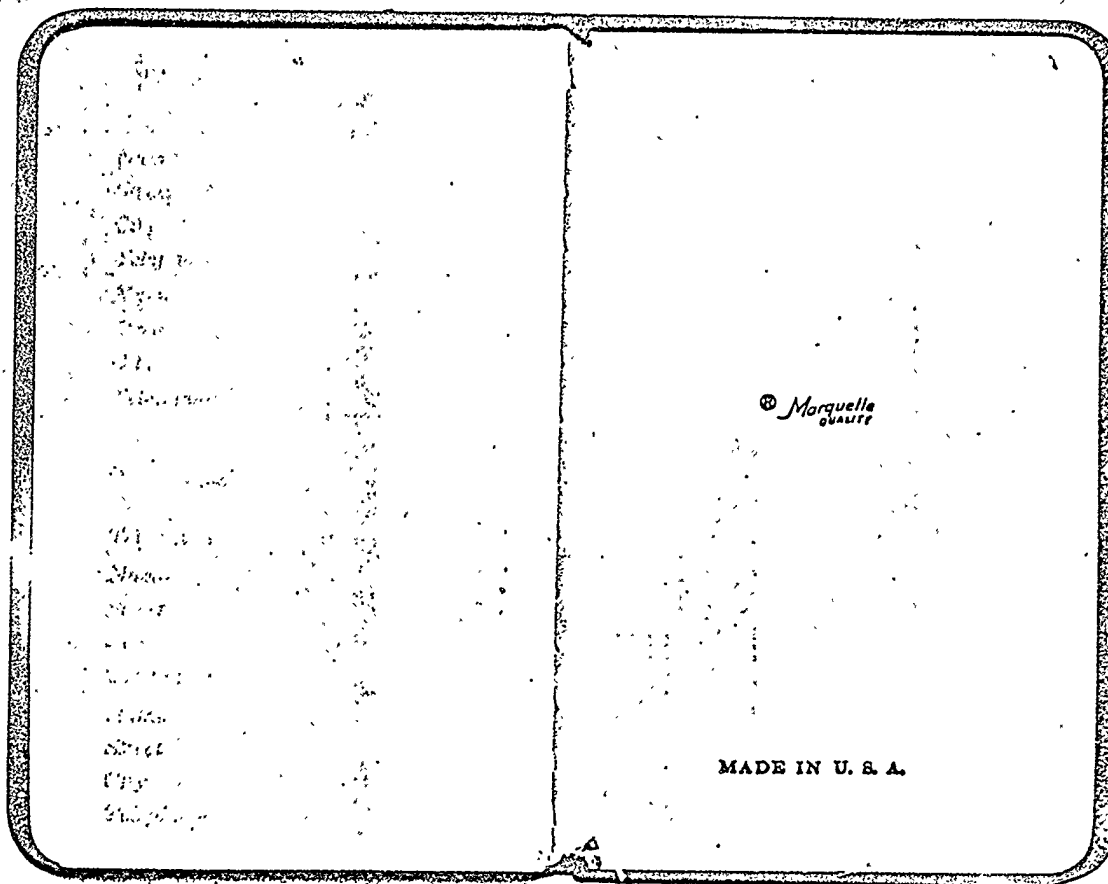
Addresses		Addresses	
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Telephone		Telephone	
Name		Name	
Street		Street	
City		City	
Telephone		Telephone	
Name		Name	Wonderwear Hosiery
Street		Street	53 Orchard St.
City		City	N.Y.C.
Telephone		Telephone	966-2840

Addresses		Addresses	
Name		Name	
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Addresses		
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Street		Street
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Telephone		Telephone

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MM 165-592

DESK TELEPHONE INDEX BOOK:

Seized in the search of HANNA's apartment January 8, 1966 was a metal telephone and address index. This index was listed as Item 6 in the inventory of the material seized. Contents of this index is set out hereafter to assist in the investigation and identification of HANNA's gambling associates and contacts.

C 2

ATHENS Cite FR1-7306

NATIONAL No 3-3811

EASTERN No 4-3511

NORTHEAST No 3-0441

[Redacted]

ALFIES NEWS 538-5538

A

[Redacted]


[Redacted]

[Redacted]

B

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4

[illegible]

8

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Best Watch Co 265-7220
562 - 5th Ave
N.Y.C.

Dunes Hotel Las Vegas
734-4110

[illegible]

[illegible][illegible]

b6
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This image shows a single sheet of white paper with horizontal ruling lines. At the top edge, there are two circular punch holes, suggesting it was part of a binder or folder. The paper appears slightly aged or off-white. There is no handwriting or printed text on the page.[illegible]

b6
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MM 165-592

[illegible]

b6
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This image shows a blank sheet of white paper with horizontal ruling lines. At the top, there is a rectangular header box containing two circular punch holes and the number "11" centered between them. The rest of the page consists of numerous evenly spaced horizontal lines for writing.

12

13

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14

15

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16

Lined area for page 16

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Lined area for page 17

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[Redacted]

[Redacted]

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[Redacted]

[Redacted]

PQ

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Time FR 9-8811

Towne Auto Rental
945-5531

MM 165-592

22

23

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b7C

UV

WX

24

b6
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SEE OTHER SIDE FOR INSTRUCTIONS

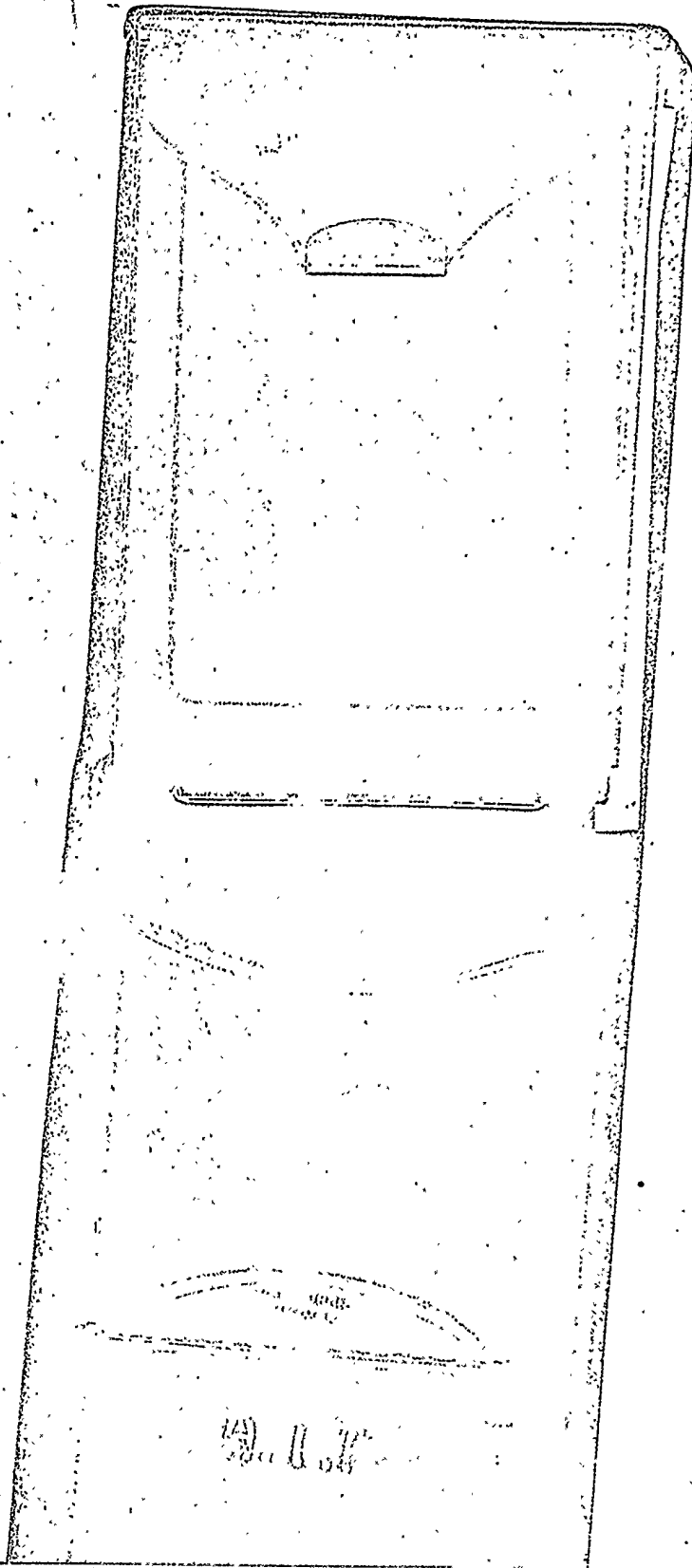
YZ

WALLET WITH IDENTIFICATION OF [REDACTED]

Also seized on January 8, 1966 in search of HANNA's apartment was a wallet containing identification in the name of [REDACTED] This wallet was listed at Item 11 in the inventory of material seized.

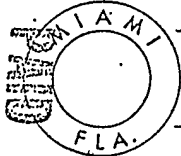
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The wallet and contents thereof are being set forth hereafter to assist in the investigation of HANNA.

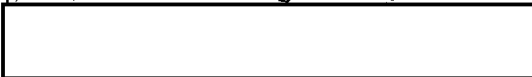


MM 165-592

P. O. BOX 5181
MIAMI, FLORIDA



FIRST-CLASS MAIL
U. S. POSTAGE
PAID 4 CTS.
PERMIT NO. 75




85759
16712

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2 1964
LOCAL

MM 165-592

STATE OF FLORIDA DRIVER'S LICENSE



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MM 165-592

OPERATOR LICENSE

\$3.00

THIS LICENSE WILL EXPIRE AT MIDNIGHT ON THE LAST DAY OF
YOUR BIRTH MONTH DURING THE YEAR INDICATED ON THE
FACE OF YOUR LICENSE.

HALLANDALE CHAMBER OF COMMERCE

SERVICE FEE

50¢

This certifies that the person whose signature and description appears
hereon is licensed to operate a motor vehicle upon the highways of Florida
in accord with state laws and local ordinances, subject to noted restric-
tions and conditions, unless this privilege has been suspended or revoked.
The Florida Department of Public Safety retains all property rights herein.

Issued by: Ed H. Anderson and David D. Smith Judge, BROWARD County

Haydon Burns

H. N. Kirkman

Gov. HAYDON BURNS, Chmn.

H. N. KIRKMAN, Director

STATE DEPARTMENT OF PUBLIC SAFETY, Tallahassee, Florida

MM 165-592

TEL. CIRCLE 6-7920-1

SHAMROCK ELECTRICAL SUPPLY CO., INC.

242 WEST 49TH STREET
NEW YORK 19, N. Y.

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MM 165-592



COMMODORE

HOUSE OF THE FOUR WINDS

DRAGSMOOR, NEW YORK

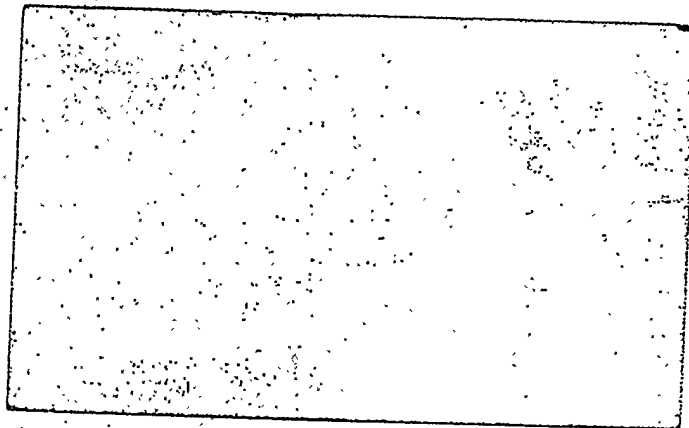
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HIWAY 91 • LAS VEGAS • NEVADA

TELEPHONE
DUDLEY 2-7700

Alfred C. C. Pk.
50 East 42nd St.
N.Y. New York 10018-1283
Dayton Ohio



THE SYSTEM

1	2	3	4	5	6	7	8	9	10	11	12	13	14
A - 2	- 3	- 5	- 8	- 11	- 15	- 20	- 27	- 35	- 46	- 61	- 80	- 105	- 138

Total 556

B - Play along the scale until a winner comes.

C - Then return to a lower period of the scale and continue play along the scale from there.

D - Measure return by the odds received on the winner.

Mutuel of Less than 4.80 return one period.

Mutuel of	4.80	return	two	periods
" "	5.60	return	three	periods.
" "	6.40	"	four	"
" "	6.80	"	five	"
" "	7.20	"	six	"
" "	7.60	"	seven	"
" "	8.00	"	nine	"
" "	8.40	or more	return	to the first bet of the scale.

E - Whenever the scale is exhausted, that is, "Breaks" begin on the scale again - with the \$11.00 bet and operate as though no break had occurred.

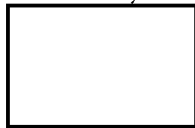
MM 165-592

MM 165-592

CHARRED PAPER ASHES:

Seized during the search of HANNA's apartment on January 8, 1966 was a metal vase (urn) containing ashes from burnt paper. This material was listed as Item 10 in the inventory of the material seized. These ashes were submitted to the FBI Laboratory on February 28, 1966.

By communication dated March 14, 1966, the Laboratory reported that the charred paper was appropriately treated and photographed in the laboratory and the paper mounted between pieces of glass. It was found that this paper had the following miscellaneous pencil markings on it, most of which is consistent as follows:



C

No. 87451

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668 4 1

46

(The above were all on what was originally one piece of paper.)

301

66

(The above were on one small piece of charred paper.)

MM 165-592

45

(The above was on one small piece of charred paper.)

No other markings or printing was determined to be present on the submitted charred paper.

MM 165-592

CARDBOARD BOX MAILED FROM MOE BECKER, NEW YORK:

Seized in the search of HANNA's apartment on January 8, 1966 was one empty cardboard box which had been mailed to HANNA from MOE BECKER.

FEDERAL BUREAU OF INVESTIGATION

1/28/66

Date _____

MOE S. BECKER was advised by SA [redacted] who had identified himself as a Special Agent (SA) of the Federal Bureau of Investigation (FBI), that he did not have to say anything, anything he did say could be used against him in a court of law, and he could consult an attorney before saying anything.

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BECKER advised he is a wholesale jeweler, who deals only with silverware, with his business at 55 West 42nd Street, Room 449, New York City. He stated that prior to December 16, 1965, he was approached by a person known only to him as [redacted] (Phonetic), and a red headed female, who [redacted] referred to as his wife. He described [redacted] as being about 5 feet 6 inches, 180 pounds, 60 years of age, and blond hair with a bald spot on top. BECKER stated that [redacted] requested a four piece, eight place setting of King Edwards silverware be sent to KENNET HERBERT HANNA, 2290 N. E. 170th Street, North Miami Beach, Florida. This silverware was sent by parcel post on December 16, 1965. The parcel post receipt was number 2936513, which BECKER furnished. BECKER stated [redacted] returned complaining that BECKER had failed to send the eight soup spoons which [redacted] had requested. BECKER stated he then sent on December 20, 1965, the eight soup spoons by parcel post. The receipt number was 2936560, which BECKER again furnished. BECKER stated he sends all his silverware in approximately the same size box, 4 1/4 inches by 11 1/2 inches by 3 1/2 inches. BECKER stated he had known [redacted] prior to December, 1965, but that was the first time he had seen [redacted] in several years. He stated he does not know where [redacted] lives. BECKER stated he knows nothing about mechanical or electrical devices and has never been involved in constructing any of these devices. BECKER said he does not gamble and has never been to the track. He stated he makes a business trip each year to the west coast concerning his wholesale jewelry business. The following description of BECKER was obtained through observation and interview:

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70

1/24/66 New York, New York NY 165-1344
On _____ at _____ File # _____
SAS [redacted] b6
and [redacted] car b7C
by _____ Date dictated 1/24/66

NY 165-1344

Name	MOE S. BECKER
Address	1618 East 24th Street Brooklyn, New York
Occupation	Wholesale Jeweler
Business Address	55 West 42nd Street, Room 449 New York City
Date of Birth	October 8, 1907
Place of Birth	New York City
Phone Number	LO 3-6352
Height	5 feet 6 inches
Weight	190 pounds
Hair	Gray, balding
Eyes	Brown

BECKER stated he could furnish no further information concerning HANNA. He advised he has never heard the names or NATHAN MODELL and he does not know these individuals.

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71

MM 165-592

Also seized in the search of HANNA's apartment on January 8, 1966 were two sheets of paper which are being set forth hereafter for assistance in this investigation.



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Calc + 11

91



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73

11/8/66
WJN

MM 165-592

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74

MM 165-592

ANALYSIS OF PAPERS CONTAINING CODE NUMBERS, NAMES &
TELEPHONE NUMBERS SEIZED IN SEARCH OF HANNA'S APARTMENT

Seized in the search of HANNA's apartment on January 8, 1966 was a lined slip of paper which contained code numbers and telephone numbers. A copy of this appears hereafter in this report. Analysis of the evidence of this case along with evidence seized in the search of [REDACTED] [REDACTED] apartment on January 8, 1966 has been made and the identity of the gamblers involved which relate to the code numbers and telephone numbers are set forth to assist in the investigation and prosecution of this case.

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NH 165-592

76

the 24 and 14

MM 165-592

503

Identity of individual involved
unknown, however, this is a Quebec,
Canada telephone number

707

These numbers used by [redacted]
[redacted] North Carolina

72

This number was connected on
September 21, 1965 in the name of

b6
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[redacted] New Jersey. It is
believed that this number was
utilized by [redacted]
[redacted] close associates of
KENNETH HANNA.

152

(Unknown at this time)

26

[redacted] Georgia

67

[redacted]
Maryland

31

[redacted]
Louisiana

30

(Not yet identified)

98

[redacted] Louisiana

16

[redacted] Ohio

10

[redacted]

82

Criterion Billard Parlor, Tulsa,
Oklahoma

13

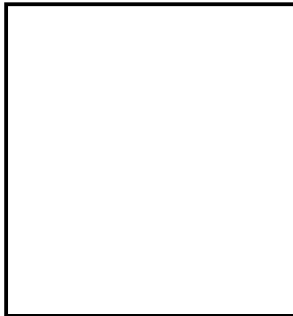
[redacted]
Missouri

MM 165-592

91

154A

90



North Carolina

Phone listed to



, Georgia. Used

by



Minnesota

b6
b7C

MM 165-592

Also seized in the search of HANNA's apartment on January 8, 1966 was a list of nicknames and telephone numbers. An examination of the material seized in the search of HANNA's apartment on January 8, 1966 and evidence seized in the search of [redacted] apartment along with other investigations has identified most of the individuals listed on this sheet of paper. These identities are being set forth herewith and the copy of the list set forth hereafter to assist in the investigation and the prosecution of HANNA.

b6
b7C

MM 165-592

N

[REDACTED]

MARTY

[REDACTED]

651-0746
7613

b6
b7C

[REDACTED]

[REDACTED]

NAT

246-1300

[REDACTED]

[REDACTED]

Office of [REDACTED]

[REDACTED]

[REDACTED]

Florida

[REDACTED]

Florida

[REDACTED]

Florida

[REDACTED]

Florida

[REDACTED]

Florida

[REDACTED]

[REDACTED]

Florida

MARTY SKARLOFF, Miami, Florida

(Unknown at this time)

[REDACTED]

[REDACTED]

Florida

[REDACTED]

[REDACTED]

New Hampshire

[REDACTED]

[REDACTED]

New Jersey

[REDACTED]

[REDACTED]

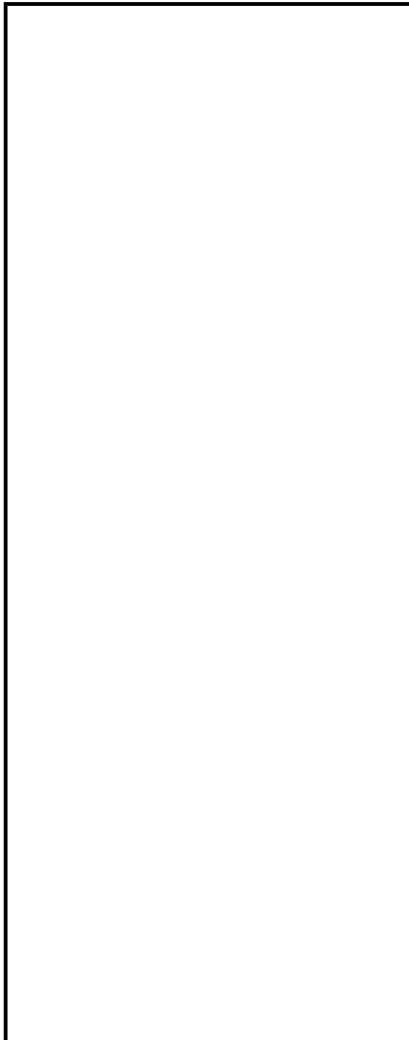
Florida

NAT MODELL, New York City

(Unknown at this time)

MM 165-592

b6
b7C



[redacted] Michigan

[redacted]
New York

[redacted] Maryland

[redacted]
New Jersey

[redacted] also known as
[redacted] New York City

[redacted] Florida

[redacted]
Massachusetts

[redacted]
Multiple Sports News Service

(Unknown at this time)

[redacted]
[redacted] Florida

[redacted]
Louisiana

(Not known at this time)

MM 165-592

ANALYSIS OF EVIDENCE SEIZED IN SEARCH OF [REDACTED]
[REDACTED] APARTMENT

b6
b7C

An analysis had been made of evidence seized in the search of [REDACTED] apartment and this analysis is set forth hereafter to show the similarity in code numbers and names in [REDACTED] records with the code numbers and names in HANNA's records.

FEDERAL BUREAU OF INVESTIGATION

Date March 15, 1966

The following information was obtained from reviewing the evidence which was seized pursuant to an authorized search warrant issued on January 7, 1966, and served on January 8, 1966, at the apartment of [redacted]

b6
b7C

[redacted] Florida:

The seizure of the evidence disclosed the book entitled "The New Dictionary of Thoughts a Cyclopedia," originally compiled by TRION EDWARDS, D.D., 1957 Standard Book Company, which book contained on the pages listed below and marked in pencil coded telephone numbers of the accounts of [redacted]. Also seized in these raids was the sheet known as the "bottoms" which contained the monetary figures of the amounts of money owed by and to [redacted] by these accounts:

b6
b7C

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
1	[redacted]	[redacted]	Miami	\$ 4,210 +
2	[redacted]	[redacted]	Miami	4,812 +
3	[redacted]	[redacted]	Miami	250 +
4	[redacted]	[redacted]	Miami	1,165 +
5	[redacted]	[redacted]	Miami	10,000 -
6	[redacted]	[redacted]	Houston	7,964 - 5,725 +
7	[redacted]	[redacted]	Pittsburgh	

b6
b7COn 3/4/66 at Miami, Florida File # Miami 165-594-255by SA [redacted] sll Date dictated 3/10/66

MM 165-594

2

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
-------------	------------------------------	----------	------------	---------

8			"Whisk A Go-Go" operated by [redacted] and [redacted] Augusta, Ga. Atlanta, Ga.	\$ 512 +
9			[redacted] (home), Miami (office)	16,185 +
10			Vancouver, B.C., Canada Vancouver Vancouver [redacted] Vancouver	6,678 - b6 b7C
12			[redacted] Columbus, Ohio	
13			[redacted] St. Louis	4,002 +
14				
15			[redacted] Atlanta	;
16			[redacted] Cleveland "	10,464 +
			MICKEY'S LOUNGE [redacted] Cleveland	

MM 165-594

3

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
17			[redacted] Miami	\$ 520 -
			[redacted] Miami	
18				11,875 +
19				3,550
20			[redacted] Miami	(pd 250)
21			[redacted] Miami	1,165 ±
22				b6 b7C
23			[redacted] Beverly Hills, California	680 +
24				3,640 +
25			[redacted] St. Louis	800 +
26			[redacted] Conyers, Ga.	3,060 -
30				2,500 -
31			[redacted] New Orleans [redacted] New Orleans	2,526 -
32	94539725965 795-5226 888-5145	945-9655 795-2265 888-1455	KEN HANNA, Jersey City	
33				18,040 -
36	[redacted]	[redacted]	Montreal, Canada	326 +
37	244-31601			

MM 165-594

4

Code No	Reverted Telephone No.	True No.	Subscriber	Bottoms
39			Los Angeles	\$28,115 +
40				10,168 -
41			[REDACTED] Miami Beach	13,673 +
42				4,325
43			[REDACTED] New York	3,160 TB +
46			[REDACTED] b6 b7C	1,730 Ramsey +
49			[REDACTED] Los Angeles	
50			[REDACTED] Miami	9,750 +
54				
55			[REDACTED] Buffalo, New York " (office)	5,100 -
60				4,092 -
	681-3761 6074	681-7613 681-9746	MARTY SKLAROFF, Miami " "	
61			"Knock & Bid Club." Dayton, Ohio [REDACTED] "Knock & Bid Club." Dayton, Ohio [REDACTED]	
65				1,073 +

MM 165-594

5

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
66				\$ 160 +
67			[REDACTED] Baltimore, Maryland	1,745 +
68			[REDACTED] Miami	2,376 +
70				b6 b7C 235 -
71				2,415 +
72	945-3972 945-5965	945-9723 945-9655	KEN HANNA [REDACTED] Union City, N. J. " "	5,450 +
75			[REDACTED] Columbia, S. C.	1,250 +
76			[REDACTED] Birmingham, Alabama	
77				1,670. +
80				2,145 -
82			"Criterion Billiard Parlor", Tulsa, Oklahoma	11,759 +
83			[REDACTED] Tulsa (home) " (office)	1,600 +
85				2,465 -
86			[REDACTED] New York City " " "	
88			[REDACTED] San Mateo, Calif. " " "	

MM 165-594

6

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
89			[REDACTED] New York City	\$ 1,000 +
90			[REDACTED] Minneapolis, Minn.	8,705 -
91			[REDACTED] Raleigh, N. C.	b6 b7C 050 +
92			[REDACTED] Los Angeles	3,952 +
93				4,750 +
94				2,000 -
95			"Automotive Distributing Co.," Charlotte, N. C.	2,321 +
96			[REDACTED] Miami	1,645 -
98			[REDACTED] Baton Rouge, La.	11,010 -
99				3,510 -
100				1,332 +
111				129,749 -
130			Dunes Hotel, Las Vegas	3,745 -

MM 165-594

7

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
152	sa		[REDACTED] NYC	\$ 1,350 + 15,365 +
			EZRA COHEN CORP., NYC	b6 b7C
155				1,850 +
217			[REDACTED] Louisville, Ky.	3,777 +
220			[REDACTED] Miami	
222				6,240 -
300			[REDACTED] Hollywood, Fla.	
301				3,094 +
321				7,032 +
346				440 +
430				2,080 +
444			[REDACTED] Miami	5,925 -
			[REDACTED] Miami	
503				3,245 -
601			[REDACTED]	
604				2,830 +

MM 165-594

8

Code No.	Reverted Telephone No.	True No.	Subscriber	Bottoms
605				\$ 2,925 +
606			[REDACTED] Louisville, Kentucky	2,500 + 3,850 + 1,810 +
626			[REDACTED]	425 +
629				299 +
630			[REDACTED] Miami	
632			[REDACTED] Miami	550 +
634			[REDACTED] New York City	26,249 +
700			[REDACTED] Miami	28,000 +
701				850 +
702			[REDACTED] Pittsburgh	
703				b6 b7C
70			[REDACTED] Pittsburgh	
705				;3,000 +
707			[REDACTED] Greensboro, North Carolina	5,320 +
709				100 +
710				840 +

It should be noted that [redacted] and HANNA frequently refer to telephone numbers in "Coca Cola". It is believed that if a number is furnished "Coca Cola", the true number is altered by removing the fourth digit and placing this number at the end. As an example: If the telephone number 132-4567 is furnished in "Coca Cola", the telephone number would be given as 132-5674.

b6
b7C

INVESTIGATION CONCERNING TELEPHONE NUMBERS RECORDED IN NOTES
OF [redacted]

[redacted] AND TELEPHONE NUMBERS IN RECORDS OF KENNETH HANNA

b6
b7C
b7D

ATLANTA DIVISION:

The following investigation was conducted by the Atlanta Division concerning telephone number [redacted] at Conyers, Georgia used by [redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date December 21, 1965Records of [redacted]
disclosed that [redacted]b6
b7C
b7D

The above information can be produced in court
only upon the issuance of a subpoena duces tecum directed to

[redacted]
Atlanta, Georgia.

b6
b7C
b7D

On 12/2/65 at Atlanta, Georgia File # Atlanta 139-71

by SA [redacted] :rbg Date dictated 12/20/65

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

AT 92-206

RE: [REDACTED]

1. The following is Identification Record
of Atlanta Police Department for [REDACTED]
Atlanta Police Department # [REDACTED] FBI # [REDACTED]
furnished by the Atlanta Police Department 12/20/65;

b6
b7C

AT 82-206

[redacted] has long been active as a gambler and bookmaker in the Atlanta area.

b6
b7C

In January, 1965, Superintendent [redacted] Chief of Detectives, Atlanta Police Department, Atlanta, Georgia, advised that Department considers [redacted] one of the top gamblers operating in the Atlanta vicinity. Atlanta Police Department informants have in the past reported that [redacted] operated a club in Rockdale County, Georgia, specializing in dice and blackjack games and the booking of all athletic contests. [redacted] has also operated gambling clubs in numerous other counties in Georgia in the past. Police Department's informants report that [redacted] probably handles more money through gambling than any other man in the Atlanta area.

b6
b7C

[redacted] was interviewed by FBI Agents 1/12/65 [redacted] Georgia, at which time he stated that [redacted]

b6
b7C

[redacted] He denied any interstate gambling. [redacted] was reinterviewed on 2/16/65 by FBI Agents at which time [redacted]

[redacted] was indicted by Federal Grand Jury, Atlanta, Georgia, 6/3/65, in indictment containing 25 counts alleging failure to pay portion of the 10 percent wagering tax for various months between September, 1960, and March, 1964. The Atlanta Police Department Special Bulletin dated 10/22/65 lists [redacted] as a person believed to be engaged in banking lottery and also believed to be engaged in booking sporting events.

b6
b7C

3. On 12/8/65, [redacted] Cashier, IRS (Federal Wagering Stamp Division), Atlanta, reported that records of that source reflect that [redacted]

b6
b7C

AT 92-206

8



b6
b7C

MM 165-592

The following investigation was conducted by
the Atlanta Division concerning the telephone numbers
[redacted] Conyers, Georgia, which were used
by [redacted]

b6
b7C

Date February 14, 19661

It was determined through physical observation that the Goza Apartments are located perpendicular to an extension of Green Street, Conyers, Georgia, and are in the rear of an establishment known as Ben's Diner. b6 b7C

Apartment Number [] of the Goza Apartments has previously been identified as the location of telephone numbers [] and [] which numbers are listed to [] Georgia.

It was further determined by physical observation that the only obviously readily accessible coin telephone in the immediate vicinity of the Goza Apartments is a coin station located on the side of Ben's Diner. It was determined through physical observation that the telephone number in this coin station is 483-9965.

98

On 2/2/66 at Conyers, Georgia File # Atlanta 92-154

by SA [] b6 b7C :cjh Date dictated 2/8/66

FEDERAL BUREAU OF INVESTIGATION

157

1Date February 14, 1966

Records of [redacted]
[redacted] Atlanta, disclosed that [redacted]
[redacted]

The above information is confidential and can
be produced only upon the issuance of a subpoena duces
tecum. In the event such is necessary, this subpoena
duces tecum should be addressed to [redacted]

b6
b7C
b7D

[redacted] Atlanta, Georgia.

b6
b7C
b7D

On 2/4/66 at Atlanta, Georgia File # Atlanta 165-265
by SA [redacted] /cfd [redacted] Date dictated 2/8/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1

Date March 29, 1966

The records of [REDACTED]

[REDACTED] Atlanta, Georgia, reflect that the
[REDACTED]b6
b7C
b7D

100

On 3/17/66 at Atlanta, Georgia File # Atlanta 165-265by IC [REDACTED] /cfd ^{b6}_{b7C} Date dictated 3/23/66

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AT 165-265
MWD/JPG:cf'd
15

The above information is confidential and can be produced only upon the issuance of a subpoena duces tecum. In the event such is necessary, this subpoena duces tecum should be directed to [REDACTED]

[REDACTED]
Atlanta, Georgia.

b6
b7C
b7D

MM 165-592

OKLAHOMA CITY DIVISION:

The following investigation was conducted by the
Oklahoma City Division concerning telephone number
[redacted] used by [redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

165-592-90

1

Date 1/18/66

Records of [redacted] reflect

b6
b7C
b7D

[Large redacted area]

b6
b7C
b7D

The above information was obtained from confidential records and could only be made public on the issuance of a subpoena duces tecum directed to the [redacted]

Oklahoma.

b7D

116

On 1/12/66 at Oklahoma City, Oklahoma File # OC 165-90
MM 165-592
by IC [redacted] ewg Date dictated 1/18/66

b6
b7C

OC 165-90
MM 165-592
CSM:ewg

1

b6
b7C

It is noted that the home telephone number for [redacted]
[redacted] Tulsa, Oklahoma has been identified as
[redacted] Concerning [redacted], the following is noted:

The following investigation was conducted by SA [redacted]
[redacted]

b6
b7C

At Tulsa, Oklahoma

A review of Cole's Directory of Tulsa, Oklahoma, 1964-
1965 on November 8, 1965, revealed that telephone number [redacted]
[redacted] is listed to [redacted]
[redacted] Tulsa, Oklahoma. [redacted] is not known to have engaged
previously in gambling operations in the Tulsa, Oklahoma area.

b6
b7C

[redacted] Credit Bureau, advised on November 8,
1965 that the records of this Bureau revealed that [redacted]
and wife [redacted] reside at [redacted] Tulsa. [redacted]
is self-employed in real estate and insurance. His complete
name is listed as [redacted] A report dated April 19, 1965
reflects that [redacted]
A former address is listed as [redacted] Tulsa.

b6
b7C

On November 7, 1965, [redacted] Records, Tulsa Police
Department, advised that the records of this department reveal
that one [redacted]
[redacted]

b6
b7C

On November 8, 1965, Deputy Sheriff [redacted], Tulsa
County Sheriff's Office, advised he has no arrest record for
[redacted]

b6
b7C

MM 165-592

NEW YORK DIVISION:

The following investigation was conducted by
the New York Division concerning New York City telephone
number [redacted] which was in HANNA's notes and the telephone
number [redacted] which appeared in [redacted] notes.:

b6
b7C

165-592-89

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/7/66

The records of the [redacted]
revealed the identities of [redacted]
[redacted] set out below:

[Large redacted box]

b6
b7C
b7D

The above information is not to be made public
except in the usual proceeding following the issuance of a
subpoena duces tecum, which should be directed to [redacted]

[redacted] New York 10004.

b6
b7C
b7D

119

On 1/6/66 at New York, New York File # NY 165-1344

by SA [redacted] ms [redacted] Date dictated 1/7/66

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ALBANY DIVISION:

The following investigation was conducted by the Albany Division concerning Schenectady, New York, telephone number [redacted] which appears in [redacted] notes. It is believed that [redacted] incorrectly noted this telephone number as [redacted] rather than [redacted]. In this regard, on January 7, 1966, [redacted] Special Service Squad, Schenectady, New York, Police Department, advised that [redacted] was unknown to him and does not have an arrest record with the Schenectady Police Department..

b6
b7C

There is also set forth, information concerning telephone number [redacted] Schenectady, New York, which was listed in HANNA's notes.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 1/14/661

The records of [REDACTED]

reflect [REDACTED]

b6
b7C
b7D

The above records are not to be made public without
the issuance of a subpoena duces tecum directed to [REDACTED]
[REDACTED]

b6
b7C

121

b6
b7C

On 1/11/66 at Schenectady, New York File # AL 92-225
MM 165-592
by SA [REDACTED] : ped Date dictated 1/11/66

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MM 165-592

AL 92-225

1

GAP/kem

NAME:

SA [REDACTED]

AT:

Schenectady, New York

DATE:

January 26, 1966, - February 25, 1966

b6
b7C

The 1965 Schenectady, New York, Telephone Directory, which was corrected as of January 14, 1965, reflects number 346-9384 is listed to the Mt. Pleasant News, 1032 Crane Street.

The 1966 Schenectady Telephone Directory corrected as of January 19, 1966, contains the same listing.

On January 29, 1966, [REDACTED] Special Service Squad, Schenectady Police Department, advised that [REDACTED] owns and operates the Mt. Pleasant News, located at 1030-1032 Crane Street. [REDACTED] advised that [REDACTED]

b6
b7C

He stated that [REDACTED]

On February 25, 1966, [REDACTED] Schenectady, New York, Police Department, advised that [REDACTED] owner, Mt. Pleasant News, 1032 Crane Street, Schenectady, New York, is a white male, born [REDACTED] at Schenectady, New York, and resided at [REDACTED] New York. He furnished the following

b6
b7C

b6
b7C

2

AL 92-225

MM 165-592

Date of Arrest

Charge

Disposition

--

b6
b7C

The February 7, 1963, issue of the 'Schenectady Gazette' contains an article reflecting that EDWARD CAPOBIANCO was arrested January 8, 1963, by Rotterdam, New York, Police Department, and pleaded guilty to a charge of being a common gambler. He was given a one-year suspended sentence and placed on a year's probation.

MM 165-592

NEW ORLEANS DIVISION:

It is set forth hereafter, investigation by the New Orleans Office concerning Baton Rouge, Louisiana, telephone number [] subscribed to by [] which number was listed in HANNA's notes:

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date 2/25/68

Records of [REDACTED]

[REDACTED] Louisiana, which can be
obtained only through issuance of a subpoena duces tecum
directed to [REDACTED]

b7D
b6
b7C

[REDACTED]
[REDACTED] Louisiana, reflects the following information:

b6
b7C
b7D

125

On 2/23/66 at Baton Rouge, Louisiana File # NO 165-507

by SA [REDACTED] jab b6
b7C Date dictated 2/25/68

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MM 165-592

DALLAS DIVISION:

The following information was determined by the Dallas Office concerning telephone number [REDACTED] which was listed in [REDACTED] notes:

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1Date February 23, 1966

The records of [redacted]
[redacted] reflect [redacted]
[redacted]
[redacted]
[redacted]

b6
b7C
b7D

b6
b7C
b7D

The above information can only be made available
by issuance of subpoena duces tecum to [redacted]
[redacted] Texas.

b7D

127

on 2/14/66 at Fort Worth, Texas ^{b7C} File # DL 165-232
[redacted] : gt ^{b6} MM 165-592
by Special Agent [redacted] Date dictated 2/16/66

DL 165-232

MM 165-592

EH: gt

1

The records of the Fort Worth Police Department and Sheriff's Office were checked on February 14, 1966 and failed to reflect any record on [REDACTED]

b6
b7C

Operator 56, Credit Bureau, Greater Fort Worth, furnished the following information on February 14, 1966:

[REDACTED]
[REDACTED] has been in file since November 24, 1928. [REDACTED]

[REDACTED] Bennett Moving and Storage Company in Fort Worth, [REDACTED] this business since November, 1946. He was married to [REDACTED] He has an excellent credit rating, has paid his bills promptly, and no derogatory information is in the file.

b6
b7C

MM 165-592

DETROIT DIVISION:

The following investigation was conducted by the
Detroit Office concerning Detroit telephone number [REDACTED]
listed in HANNA's notes. This was used by [REDACTED]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 11/5/65

1

[redacted] Michigan, was interviewed in the Federal Bureau of Investigation Office, Detroit, Michigan, at which time he was advised of the identity of the interviewing agents by SA [redacted]

b6
b7C

[redacted] He was further advised that he did not have to make any statement; that any statement he made could be used against him in a court of law and that he had the right to consult with an attorney if he so desired.

[redacted] was questioned as to whether or not he presently was engaged in any form of interstate gambling activities or bookie activities on a local level at which time he stated that he was not.

b6
b7Cb6
b7Cb6
b7Cb6
b7C

On 10/28/65 at Detroit, Michigan File # Detroit 92-1249

by SAs [redacted] and [redacted] pam Date dictated 11/2/65

b6
b7C

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DE 92-1249

2

b6
b7C

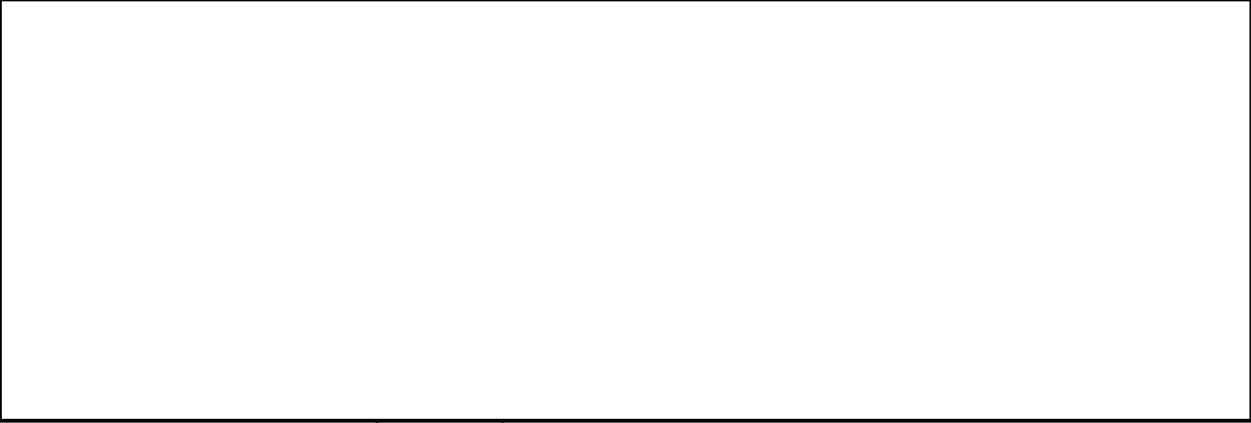
[redacted] was questioned as to whether or not he believed there was an Italian structure which may be termed the Mafia or LaCasa Nostra at which time he advised that from his knowledge of the Italians that he definitely believed this to be the case. He stated that testimony which was given by VALACHI (ph) was a true picture of the Italian Syndicate. [redacted] advised that [redacted] in Atlanta and considered him a "goof ball"; however, he felt that what he had to say concerning the Italian Syndicate was true from his knowledge of the Italians, having grown up with them in the early years of his life.

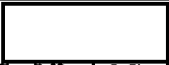
[redacted] stated that he never had any interest in the numbers operation and considered a person foolish to play the numbers as they are always subject to change in Detroit.

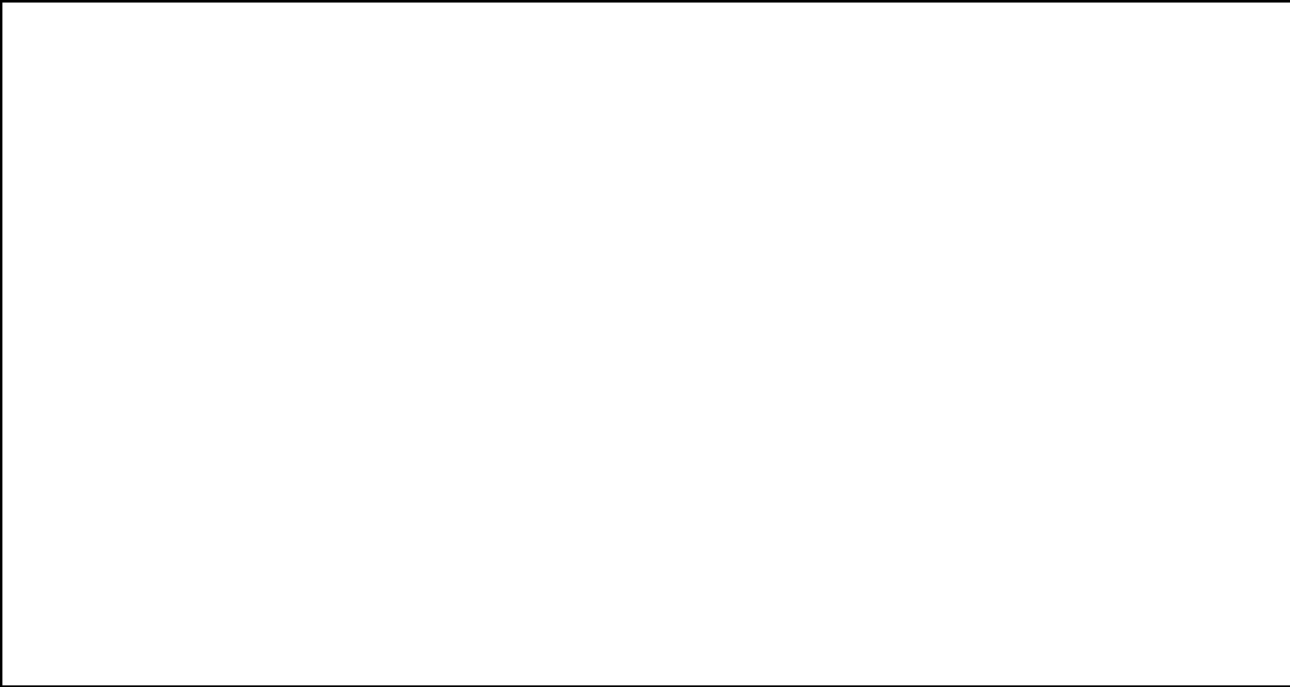
[redacted]

DE 92-1249

3



 was questioned concerning his knowledge of gamblers in Las Vegas, Nevada, at which time he stated that he, himself, was well known in Las Vegas having been there five or six times in the past and stated further that he had been to the Sands Motel, Stardust and many other establishments in Las Vegas, but did not elaborate on the individuals whom he knew in Las Vegas.



b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1

Date 2/11/66

The following information is to be made public only following the usual proceedings of the issuance of a subpoena duces tecum.

Information was received that

b6
b7C
b7D

b6
b7C
b7D

134

On 2/8/66 at Detroit, Michigan File # DE 165-450

by SA [redacted] /sin [redacted] Date dictated 2/11/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

DE 165-450

3

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In the event the above information is to be made
public a subpoena duces tecum should be issued to the Manager,
[redacted] Michigan.

b7D

DE 165-450
HDS/sin - 1

b6
b7C

On January 5, 1966, SA [] reviewed the 1965-1966 Bresser's Cross Index Directory for Detroit, Michigan, and found no listing for telephone number 963-7404.

On July 1, 1965, IC [] determined from [] of the Assumed Names Section, City-County Building, Detroit, that the Penthouse Supper Club, 2035 Park Avenue, was registered by [] on May 5, 1965. [] gave an address of [] Michigan.

b6
b7C

On February 7, 1964, Assistant United States Attorney PAUL J. KOMIVES advised that the Federal Grand Jury, Detroit, Michigan, on February 7, 1964, returned a five count indictment charging [] with violations of Sections 371, 1010, and 1014, Title 18, United States Code, (Conspiracy - False Statements).

b6
b7C

On February 12, 1964, [] appeared in United States District Court, Detroit, before United States District Judge FRED W. KAESS and stood mute to the charges in the above-mentioned indictment. The Judge entered a plea of not guilty for [] and he was released on \$5,000.00 personal bond.

b6
b7C

DE 147-1218

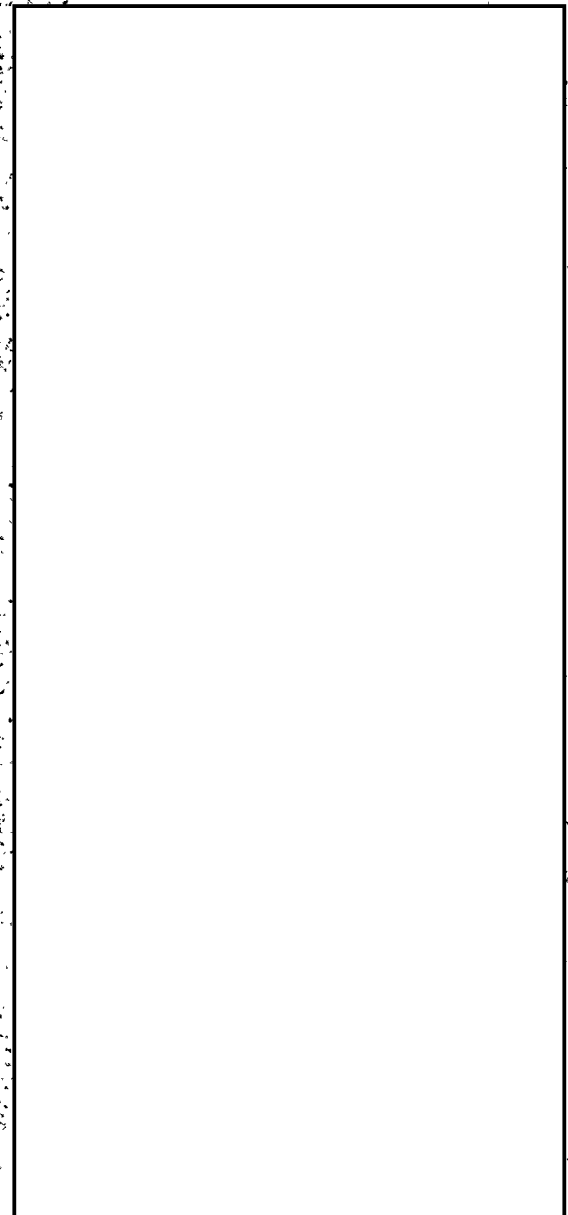
In the course of another investigation in 1945
the following arrest record was obtained from the Detroit
Police Department concerning [REDACTED] Detroit Police
Department No. [REDACTED]

b6
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b6
b7C

DE 147-1218

b6
b7C



The following additional arrest record concerning
[redacted], No. [redacted] was obtained by IC [redacted] on
June 21, 1962, from the Bureau of Identification, Detroit
Police Department:

b6
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140

DE 147-1218

<u>Contributor</u>	<u>Name and Number</u>	<u>Date</u>	<u>Charge</u>	<u>Disposition</u>
--------------------	------------------------	-------------	---------------	--------------------

--	--	--	--	--

b6
b7C

141

MM 165-592

BALTIMORE DIVISION:

The following investigation was conducted by the Baltimore Division concerning telephone number 467-2876 subscribed to by FRANCIS E. CONNER. This number appears in HANNA's notes and CONNER was present on January 8, 1966, at the time HANNA was arrested.:

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/25/66

b7D

Records of [REDACTED]

[REDACTED] reflect the following:

Baltimore telephone number 467-2876 is listed to FRANCIS E. CONNER, 1200 Windemere Avenue, Baltimore.

When CONNER requested telephone service he advised he was engaged as publisher of "Winning Ways" a paper for individuals who bet on race horses.

The following toll calls were charged to this telephone for the past two billing periods:

DATE	PLACE CALLED	NUMBER CALLED	CHARGES
10/7/65	Miami, Florida	[REDACTED]	\$1.15
10/16/65	New York, N.Y.		1.30
10/19/65	Miami, Florida		3.15
10/20/65	New York, N.Y.		4.10
10/26/65	York, Pa.		.40
10/28/65	N. Dade, Fla.		4.35
10/28/65	N. Dade, Fla.		1.05
10/28/65	New York, N.Y.		.55
11/3/65	N. Dade, Fla.		1.75
11/13/65	N. Dade, Fla.		1.05
11/14/65	N. Dade, Fla.		.75
11/13/65	N. Dade, Fla.		1.05
11/14/65	N. Dade, Fla.		.75
11/14/65	N. Dade, Fla.		.95
11/15/65	York, Pa.		.40
11/17/65	N. Dade, Fla.		1.90
11/17/65	N. Dade, Fla.		1.50
11/17/65	N. Dade, Fla.		1.90
11/17/65	Englewood, N.J.	.75	
11/17/65	York, Pa.	.40	
11/18/65	York, Pa.	.40	
11/18/65	York, Pa.	.40	

b6
b7C

On 1/18/66 at Baltimore, Maryland File # BA 165-428

by SA [REDACTED] jtk Date dictated 1/25/66

b6
b7C

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145

BA 165-428

MMW:jtk

2

DATE	PLACE CALLED	NUMBER CALLED	CHARGES
11/18/65	North Dade, Fla.	<div data-bbox="706 489 917 913"></div>	\$1.50
11/20/65	York, Pa.		.40
11/24/65	North Dade, Fla.		3.50
11/24/65	York, Pa.		.40
11/25/65	N. Dade, Fla.		1.05
11/25/65	N. Dade, Fla.		1.05
11/25/65	N. Dade, Fla.		1.65
11/26/65	Englewood, N.J.		.75
11/26/65	N. Dade, Fla.		2.70
11/27/65	N. Dade, Fla.		1.05
12/2/65	Phila., Pa.		.55
12/2/65	York, Pa.		.40

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The above should not be made a matter of public record without the issuance of a subpoena duces tecum directed to the attention of

Maryland.

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b7D

145 a

BA 165-428

MMW:jtk

1

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DATE: JANUARY 24, 1966
NAME: SA [REDACTED]
AT: BALTIMORE, MARYLAND

b6
b7C

On October 12, 1965, [REDACTED] Racket Squad, Baltimore, Maryland Police Department advised that records of his office contain no information identifiable with FRANCIS E. CONNER.

On January 24, 1966, [REDACTED] advised he believes he knows of FRANCIS E. CONNER as an individual who has been engaged in gambling in the Baltimore area for a number of years.

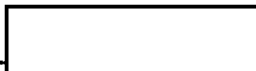
b6
b7C

On October 12, 1965, files of Central Records, Baltimore, Maryland Police Department were reviewed and they reflected the following concerning FRANCIS E. CONNER:

<u>DATE</u>	<u>NAME</u>	<u>CHARGE</u>
2/10/51	FRANCIS CONNER 1200 Windemere Avenue	Assault in striking Two charges - one dismissed, one 30 days in jail, suspended Disturbing peace, \$10.00 and costs and released.
11/24/45	FRANCIS CONNER 1200 Windemere Avenue	Assault and striking \$50.00 and costs and released.
11/29/43	FRANCIS CONNER 1200 Windemere Avenue	Disturbing Peace - Dismissed
9/19/40	FRANCIS E. CONNER 903 Mc Kewin Avenue	Disorderly Conduct \$5.00 and costs and released.

MM 165-592

INTERVIEW OF



b6
b7c

FEDERAL BUREAU OF INVESTIGATION

1.

Date March 18, 1966

[redacted] was interviewed at [redacted]
[redacted] He was advised of the identity of the interviewer as being a Special Agent of the Federal Bureau of Investigation. He was advised he did not have to make any statement and any statement he did make could be used against him in a court of law and that he had the right to consult an attorney before making any statements.

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He stated the reason he denied that he knew [redacted] when being previously interviewed, as well as KEN HANNA and others, was that he misunderstood the question.

b6
b7C

He said he has bet with KEN HANNA in the past on horse races which [redacted]

b6
b7C

[redacted] HANNA would [redacted] and it was his original understanding HANNA would [redacted] but he now knows that HANNA had to be "booking" the bets himself.

He has never [redacted] nor does he know him personally. The only explanation he can offer that his [redacted] records, is that KEN HANNA [redacted]

b6
b7C

[redacted]

b6
b7C

148

On 3/11/66 at Hallandale, Florida File # Miami 165-594

by SA [redacted] pch Date dictated 3/14/66

b6
b7C

MM 165-592

INTERVIEW OF



b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date _____

1

2/24/66

[redacted] was located in the card room [redacted] was advised by SA [redacted] of the identity of the interviewing Agents and that he did not have to make any statement and any statement he did make could be used against him in a court of law. He was also advised of his rights to consult an attorney or anyone else he so chooses to be present during the interview.

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[redacted] was shown a photograph of KENNETH HANNA, at which time [redacted] advised "I've seen him around." [redacted] was then advised that this photograph was of the individual known as KENNETH HANNA, at which time [redacted] again advised "I've seen him around." [redacted] was then asked if he has bet with HANNA, at which time [redacted] said "I have never bet with this guy or anyone, and I do all my betting at the Pari-mutuel windows at the race tracks." [redacted] was then asked if he has seen [redacted] lately, at which time he stated [redacted]

b6
b7C

He further advised that [redacted]

[redacted] declined to make any additional comments.

b6
b7C

150

On 2/17/66 at Miami, Florida File # MM 165-594
by SA [redacted] and SA [redacted] Date dictated 2/18/66

b6
b7C

MM 165-592

INVESTIGATION AT NEW YORK REGARDING NATHAN MODELL

NY 165-1344
ENH:emr
(1)

b6
b7C

On April 4, 1966, [redacted] Credit
Bureau of Greater New York, advised IC [redacted] she
had no record for the following individuals:

b6
b7C



NY 165-1344
ENH:emr
(2)

b6
b7C

[redacted]
[redacted] advised her records revealed the following information on the individuals below:

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] Brooklyn. He is employed as a certified public accountant and is [redacted] New York City.

b6
b7C

[redacted] resides at [redacted] and is employed as [redacted] at [redacted] New York City.

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] New York. He is employed at [redacted] New York City.

b6
b7C

[redacted] resides at [redacted]
[redacted]

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] Long Island, New York. He is employed as [redacted] Long Island, New York.

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] New York. He is employed as [redacted] New York City.

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] New York. He is employed at [redacted] New York City.

b6
b7C

[redacted] and wife, [redacted] reside at [redacted] Yonkers, New York. He is [redacted]
[redacted]

NY 165-1344

ENH:emr

(3)

b6
b7C

[redacted] and wife, [redacted] reside at
[redacted] New York City. He is employed by

[redacted]

b6
b7C

[redacted] and wife, [redacted] reside at
[redacted] New York. He is employed
at [redacted] New York City.

[redacted] resides at [redacted]
York City. and is self-employed, operating [redacted]

b6
b7C

[redacted]

[redacted] New York City.

[redacted] resides at [redacted]

[redacted]

b6
b7C

NY 165-1344

ENH:emr

(4)

b6
b7C

[REDACTED]

[REDACTED] and wife, [REDACTED] reside at
[REDACTED] Brooklyn, New York. He is employed
by [REDACTED]

b6
b7C

[REDACTED] resides at [REDACTED] New
York City, and is employed as [REDACTED]
[REDACTED] New York City.

b6
b7C

[REDACTED] and wife, [REDACTED] reside at
[REDACTED] New York. He is employed
as [REDACTED]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

2

Date 4/19/66

The records of
revealed [redacted]
[redacted] set out below:

b7D

b6
b7C
b7D

The above information is not to be made public except in the usual proceeding following the issuance of a subpoena duces tecum, which should be directed to [redacted]

IN STORE

●

b6
b7C
b7D

15th 6

On 4/23/66 at New York, New York File # 100-337447

by SA [redacted] b7C Date dictated 4/13/64

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FEDERAL BUREAU OF INVESTIGATION

Date 4/13/66

b7D

The records of [redacted] revealed
[redacted] set
out below:

b6
b7C

2

On 4/7/66 at New York, New York File # NY 165-1344

by SA [redacted] /ats Date dictated 4/7/66

b6
b7C

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b6
b7C
b7D

2

NY 165-1344



The above information is not to be made public
except in the usual proceeding following the issuance of a
subpoena duces tecum, which should be directed to



New York 10004.

b6
b7C
b7D

158

FEDERAL BUREAU OF INVESTIGATION

1Date 4/7/66

b7D

The records of [redacted] revealed
[redacted] set
out below:

b6
b7C
b7D

The above information is not to be made public except
in the usual proceeding following the issuance of a subpoena duces
tecum, which should be directed to [redacted]

[redacted] New York 10004.

159

On 4/1/66 at New York, New York File # NY 165-1344

b6
b7C
b7D

by SA [redacted] ats [redacted] Date dictated 4/4/66

b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

Date 3/28/66

1.

The records of [redacted]
revealed [redacted]

b7D

[redacted] set out below:

[Large redacted area]

b6
b7C
b7D

On 3/22/66 at New York, New York File # NY 165-1344

by SA [redacted] smv/mmz Date dictated 3/22/66

b6
b7C

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NY 165-1344

8.

The above information is not to be made public except in the usual proceeding following the issuance of a subpoena duces tecum which should be directed to [REDACTED]

[REDACTED] New York, 10004.

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION

1

Date 1/6/66

[redacted] Salisbury Hotel,
123 West 57th Street, New York City, advised that NAT
MODELL is presently residing in Room 507 of the above
hotel and has been residing there ever since November 14,
1963. [redacted] furnished the following toll calls charged to
MODELL during the months of November and December, 1965:

b6
b7C

November 1
November 1
November 2
November 3
November 5
November 7
November 11
November 11
November 13
November 16
November 19
November 21
November 21
November 23
November 25
November 27
December 1
December 2
December 3
December 4
December 7
December 9
December 11
December 13
December 15
December 16
December 18
December 20
December 22
December 24
December 28
December 30

b6
b7C

168

On 1/4/66 at New York, New York File # NY 165-1344

by SA [redacted] ms [redacted] Date dictated 1/5/66

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FEDERAL BUREAU OF INVESTIGATION

Date 4/29/661

The records of [redacted]
[redacted] were reviewed and they reflect that
[redacted]
[redacted]
[redacted]

b6
b7C
b7D

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]
[redacted]
[redacted] Florida, or his authorized
representative.

b6
b7C
b7D

169*

On 4/29/66 at Miami, Florida File # Miami 165-592

SA [redacted] ljb b6
b7C
by _____ Date dictated 4/29/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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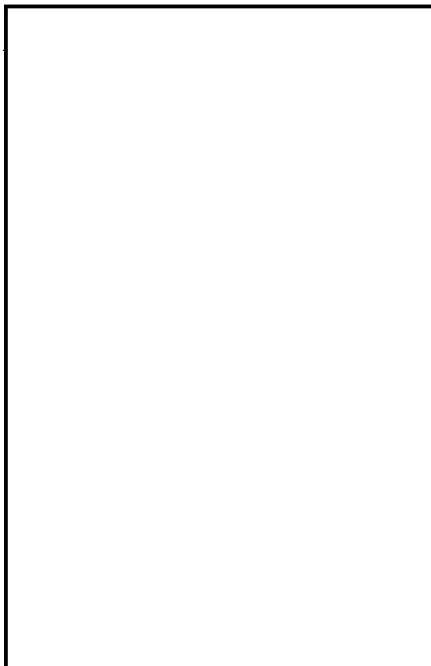
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b6
b7C

F B I

Date: 4/27/66

Transmit the following in A I R T E L
(Type in plaintext or code)Via _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, MIAMI

ITWI

ITWP

ITAR

Re Bureau airtel to Miami, 4/20/66.

[Redacted] aka;
aka;
akab6
b7C

Trial Date: 8/2/66

Place: U. S. District Court
Miami, Florida

ITWI; ITAR

(OO: Miami)

Miami file 165-174

Bufile 165-1790

KENNETH HERBERT HANNA, aka;

NATHAN MODELL, aka

ITAR; ITWI - FBW

(OO: Miami)

Miami file 165-592

Bufile 165-1990

Trial Date: 9/12/66

Place: U. S. District Court
Miami, Florida

3 - Bureau

3 - Miami (1 - 165-00)

(1 - 166-00)

(1 - 168-00)

WRW:bjc

(6)

165-1990-
NOT RECORDED

133 APR 29 1966

APR 28 1966

Approved: *[Signature]*

Special Agent in Charge

Sent

M

Per *[Signature]*

ORIGINAL FILED IN 165-1790 92

SAC, MIAMI (165-592)

April 15, 1966

Director, FBI (165-1990)

KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

OO: Miami

Reference is made to your communication dated 4/7/66
☐ negative(s) ☒ film ☐ photograph(s) ☐ document(s) ☐
pertaining to the above-captioned matter.

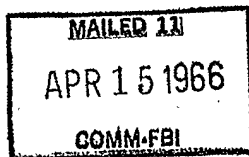
transmitting

In accordance with your request ☒ film has been developed
☒ enlargement(s) made
☐ positive copy made
☐ print(s) made
☐ slide(s) made
☐ negative(s) made
☐ Photostats made

The above is ☒ attached

☐ being sent under separate cover, via ☐ registered mail
☐ REA Express

b6
b7C



Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Enc. 16

CQS:jlc

(4)

54 APR 20 1966

TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (165-1990) DATE: April 7, 1966
Attention: FBI Laboratory - Mechanical Section

FROM : SAC, Miami (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

OO: Miami

There is enclosed for the FBI Laboratory two exposed film ^{holders} ~~packs~~ of colored film with exposures taken of the outside and the inside of the "blue box."

The Laboratory is requested to develop this film and to make six prints each of the outside and inside of the "blue box." Prints should be enlarged to agree with scale in pictures.

③ Bureau (RM) (Enc. 2)
1 - Miami
WFH:amc
(4)

ENCLOSURE
Det. & Ret. to
Miami.
4/15/66 jlc

HOLDERS RELOADED and
RETURNED via ROUTING
SLIP APR 11 1966 C.A.M.

165-1990 -
NOT RECORDED

APR 11 1966

Ack Mech Sect
Film devl. +
Enlarge made
4/15/66 jlc

RECEIVED

DEVELOPED

PRINTED

ENLARGEMENTS

COPIED

INSPECTED

4-256-4/11/66-C.A.M.

12-66 4/14/66 HBC

RP

4/15/66 jlc



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

4813

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 35

Page 38 ~ b6, b7C

Page 50 ~ b6, b7C, b7D

Page 51 ~ b6, b7C, b7D

Page 52 ~ b6, b7C, b7D

Page 57 ~ b6, b7C, b7D

Page 58 ~ b6, b7C, b7D

Page 68 ~ b6, b7C, b7D

Page 154 ~ Duplicate page 151

Page 156 ~ b6, b7C

Page 170 ~ b6, b7C

Page 185 ~ b6, b7C

Page 192 ~ b6, b7C, b7D

Page 193 ~ b6, b7C, b7D

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Page 195 ~ b6, b7C, b7D

Page 196 ~ b6, b7C, b7D

Page 197 ~ b6, b7C, b7D

Page 198 ~ b6, b7C, b7D

Page 199 ~ b6, b7C, b7D

Page 200 ~ b6, b7C, b7D

Page 201 ~ b6, b7C, b7D

Page 202 ~ b6, b7C, b7D

Page 203 ~ b6, b7C, b7D

Page 204 ~ b6, b7C, b7D

Page 224 ~ b6, b7C

Page 226 ~ b6, b7C, b7D

Page 229 ~ b6, b7C

Page 233 ~ b6, b7C

Page 234 ~ b6, b7C

Page 253 ~ b6, b7C, b7D

Page 254 ~ b6, b7C, b7D

Page 255 ~ b6, b7C, b7D

Page 256 ~ b6, b7C, b7D

Page 257 ~ b6, b7C, b7D

Page 258 ~ b6, b7C, b7D

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)
ATTENTION: IDENTIFICATION DIVISION
LATENT FINGERPRINT SECTION

FROM : SAC, NEWARK (165-663)

SUBJECT: *Rob*
Wey
KENNETH HERBERT HANNA, aka.
ITWI, FBW
OO: Miami

DATE: 6/1/66

ReBuairtels 1/18/66 and 2/3/66 which advised that latent prints of value were developed on material previously submitted by Newark.

Enclosed for the Bureau are a completed fingerprint card and four cards comprising major case prints obtained from [redacted] at the time of his arrest, on 5/25/66, in connection with the case entitled [redacted] aka. ET AL, ITWI, FBW-CONSPIRACY. OO: LOS ANGELES.

The Identification Division is requested to compare the enclosed prints with those latents developed and referred to in referenced Bureau airtels.

The Bureau, Los Angeles, Miami and Newark should be furnished results.

ST-120

- ④ - Bureau (Encls. 5)
(1 - 166-1765)
1 - Los Angeles (166-462)
1 - Miami (165-592)
2 - Newark
(1 - 166-553)

JPW:hds
(8)

Sealed
ENCLOSURE

and 6-10-66
JPW:ans

b6
b7C

REC-140

n
165-1990-41

1 JUN 15 1966

40
EXP. 166-1765
UNRECORDED COPY FILED IN 166-1765

SPECIMENS DETACHED IN LFPS



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537



REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

ST-120

YOUR FILE NO.

FBI FILE NO.

LATENT CASE NO.

 100-100
 100-1000
 00017

JUN 19, 1966

TO:

SAC, Newark

b6
b7C

RE:

 UNKNOWN SUBJECT, aka
 200, 200

NR

REFERENCE:

EXAMINATION REQUESTED BY:

SPECIMENS:

Letter 6-2-66

Newark

 Major case prints of
 FBI 100-1000

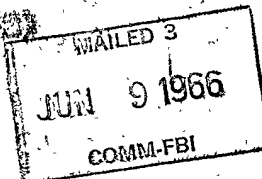
(a) 100-1000

No attached page for the results of comparison of nine latent fingerprints and three latent palm prints previously reported this case. Major case prints of Sullivan not identified containing latent finger and palm prints previously reported this case or with latent prints previously reported in case entitled [redacted] aka, DO AS, 200, 200 - Conspiracy, [redacted] 100-1000, [redacted] Case 100-1000.

Major case prints retained.

b6
b7C

- 1 - Los Angeles (100-1000)
- 1 - Miami (100-1000)
- 1 - Newark (100-1000)
- 1 - Bufile (100-1765)


 Tolson _____
 DeLoach _____
 Mohr _____
 Wick _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____
JED:mb
(10)

135

John Edgar Hoover, Director

50 JUN 23 1966

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN 100-1765

Your File No. 100-558
NYF File No. 100-1000
Latent Case No. 04617

June 10, 1966

b6
b7C

RE: [REDACTED]

TO: [REDACTED]

Three latent fingerprints and three latent palm prints developed on the following previously submitted specimens are identical with finger and palm prints of [REDACTED]

b6
b7C

One palm print on inside portion of matched Linco fingerprints and one palm print on pink telephone, 1700 2001

Four fingerprints on white telephone, 1700 2001

One fingerprint and one palm print on second page of 12-17-60, New York Herald Tribune

One fingerprint on page twenty-five, of 12-17-60, New York Herald Tribune

The finger and palm prints of [REDACTED] are being retained in the Identification Division as per FBI.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 6-3-66/8:45 a.m.

Reference No: 165-663

Received: 6-3-66/RLJ

FBI File No: 165-1990-41

Latent Case No: 64617

Answer to: SAC, Newark

Examination requested by: Addressee

Copy to: Los Angeles (166-462); Miami (165-592); Newark (166-553)
Bufile (166-1765)RE: KENNETH HERBERT HANNA, AKA.
ITWI, FBW

Date of reference communication:

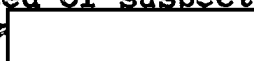
Letter 6-1-66

Specimens:

Major case prints submitted of suspect:



FBI #

b6
b7Cb6
b7C

Result of examination:

Examination by:

Evidence noted by:

9 lat fpts + 3 lat pp previously report
1 fpt + pp of

1 pp on inside portion of matchbox & left pp.

3 fpts + 1 pp pink telephone # #1, #1, #1 + left RP

4 fpts white telephone # #1, #3, #4 + #6

1 fpts + 1 pp front page, 12-17-65, New York Herald Tribune #7 + left pp

1 fpts page 25, 12-17-65, New York Herald Tribune #7 6-8 pm

b6
b7C

Examination completed 1:35 pm

Time

6-8-66

Date

Dictated (over)

6-9-66

Date

and 6-10-66

JFW:mb

φ's
verified
JFB

Remaining lot of + pps previously reported thru
case not of lot of + pps of [redacted]

Lot of pps previously reported in case entitled [redacted]
[redacted], aka, et al, I TWZ, FBW-Conspiracy" Bufile
166-1765, Los Angeles # 166-462, AC # 66676 not of
Fgts of [redacted]

b6
b7c

Pts retained

FBI

JUN 13 11 52 AM '66

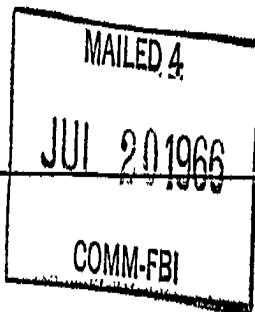
RECEIVED
SPECIAL INVESTIGATIVE
DIVISION

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: 7-20-66

Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL;
ITAR; ITWI - FBW

TO: SAC, Los Angeles (165-592)



*Sent 7/20/66
3mm*
Invoice of Contents

Q6 through Q13

- B*
- ☐ Crypt.-Trans.
 - ☒ Document
 - ☐ Electronics
 - ☐ P & C
 - ☐ LFPS

This evidence should be returned to FBI Laboratory.

This evidence submitted by Miami letter 7/14/66, Miami file 165-592.

718765

Special Instructions:

Mail Registered Air Mail and registry number.

Shipping Room: Show shipment date; bill of lading number;

initial invoice; return to Section checked in block; after

initialing in block, invoice to be placed in administrative file to follow

FBI File No. 165-1990

D-511279 DL

160
57 JUL 21 1966
FMM:mjk (2)

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 6/28/66

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI; FBW

(OO: Miami)

Re report of SA [redacted] dated 5/9/66 at
Miami.

Departmental Attorney WALLACE JOHNSON on 6/16/66
advised SA [redacted] that the trial date in captioned
case has been changed to 10/28/66 and the date for argument of
motions is now set for 9/12/66.

b6
b7C

b6
b7C

Above is for information of Bureau and New York.

- ② - Bureau
- 2 - New York (165-1344)
- 2 - Miami
 - (1 - 165-592)
 - (1 - 162-341)

WFH:vc
(6)

99

RECEIVED
JUN 30 1966

REC-18

165-1990-42

EX-108

JUN 30 1966

F-241

3 JUL 7 1966



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 7/5/66

FROM : SAC, ATLANTA (165-265) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI; FBW
(OO: MIAMI)

b6
b7C

Rerep SA [redacted] 5/9/66, Miami.

On 6/29/66, Special Agents of the Atlanta Office observed subject HANNA and [redacted] at the Atlanta Stadium during a game between the Chicago Cubs and Atlanta Braves. They made no contact with anyone, however, in the second half of the second inning HANNA and [redacted] went to the tunnel of Aisle 229. [redacted] remained on the field side of this tunnel and HANNA went in same and remained out of sight for several minutes. Both then returned to section 215 where they were sitting. It was determined that a public telephone (number 404-523-9930) is located in the area of Aisle 229 where HANNA had remained out of sight for a few minutes. From above it would appear that HANNA made use of this telephone. It was noted that in the first half of the second inning the Cubs had scored one run and were leading the Braves one to nothing. The starting time of the game was 12:30 p.m. EST, and above activity took place at 12:50 p.m. No other persons observed this area.

b6
b7C

The Bureau is requested to authorize Atlanta to review long distance records, Southern Bell Telephone Co., in an effort to determine if any such calls made during pertinent period and if positive to obtain information concerning same. Bureau is assured this check can be accomplished with full security and our interests protected.

- 3 - Bureau (RM)
3 - Miami (2 - 165-592)
 (1 - 165-594)
3 - Atlanta (2 - 165-265)
 (1 - 165-25) (C)

JJL/jec
(9)

REC-60

JUL 7 1966

let to AT
7-15-66
Jed: also

ADP-1000

SAC, Atlanta (165-265)

7/15/66

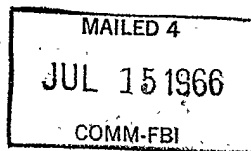
REC-124
Director, FBI (165-1990)

43
EX-104

KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI; FBW

ReATlet 7/5/66.

Bureau authority for you to obtain records of telephone toll calls is being held in abeyance at this time pending results of a survey being conducted by the Bureau and the Department as to the legality of this procedure.



798

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

JON:dsa dca
(5)

JUL 22 1966

MAIL ROOM ☐ TELETYPE UNIT ☐

jm

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 7/15/66

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI - FBW

Enclosed for Albany are eight 7-inch reels of magnetic tape which are recordings made by the telephone company of telephone calls made by KENNETH HANNA from his telephone at his residence.

On July 7, 1966, SA [redacted] held a conference with Departmental Attorney WALLACE JOHNSON, presently in Miami. Mr. JOHNSON advised that the motions in this case were to be argued before Judge WILLIAM O. MEHRTENS on September 12, 1966, with the subsequent trial scheduled for October of 1966.

b6
b7C

Mr. JOHNSON advised that he believed the following witnesses will be necessary at the time of the trial in order for successful prosecution in this case:

1. Individual in New York who can make a voice identification of NATHAN MODELL.
2. Witnesses who can testify that MODELL was in the business of gambling.
3. Hotel manager who can testify to the occupancy of Room 507, Salisbury Hotel, by NATHAN MODELL and can produce appropriate hotel records in this regard.
4. The arresting FBI Agents.
5. The appropriate telephone officials who can testify as to subscriber records for the telephone of NATHAN MODELL.

② - Bureau
3 - Albany (Encs-8)
--- (1 - Package RM)
2 - New York (165-1344)
1 - Miami
WFH:mbr
(8)

EX-103
REC-43

165-1990-44

JUL 18 1966

b6
b7C

SEVEN



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MM 165-592

6. Appropriate FBI Laboratory expert who can testify to the significance of any gambling records found at the time of the arrest of MODELL.

Mr. JOHNSON advised that the following witnesses would be necessary with respect to HANNA:

1. The individual who can make a voice identification of HANNA.

2. Appropriate telephone officials who can testify regarding the "blue box" and AMA print-outs which witnesses should include [redacted]
[redacted]

b6
b7C

3. Bureau Laboratory expert who can testify concerning any betting slips, gambling records, etc. found in search of HANNA.

4. Witnesses who can testify that HANNA is in the business of gambling.

5. Handwriting testimony concerning records retained by HANNA.

Mr. JOHNSON advised that of the above he is more concerned over the voice identifications.

Miami files reflect that subject HANNA is well known to [redacted] of the Albany Office and that [redacted] was in contact with HANNA frequently from 1950 to 1952.

b6
b7C

SA [redacted] of the Albany Office is requested to listen to the eight reels of enclosed tape to determine if he can make a voice identification of KENNETH HANNA. In the event this identification can be made, an appropriate FD-302 should be prepared by Albany and forwarded to Miami. Following the above, Albany should forward to New York the eight reels of tape.

b6
b7C

MM 165-592

New York is requested, after receipt of the above eight reels of tape, to interview the switchboard operator at the Salisbury Hotel and to determine if she can make a voice identification of NATHAN MODELL on this tape. In this connection, telephone calls between HANNA and MODELL are set out verbatim in the report of SA [redacted] at Miami, dated January 13, 1966.

b6
b7C

In the event this switchboard operator can -- make a voice identification of MODELL, appropriate FD-302s should be prepared and forwarded to Miami.

New York should also forward to the FBI Laboratory all records and documents seized at the time of the arrest of MODELL for analysis by the Laboratory expert with reference to their gambling significance.

New York should also intensify investigation to develop witnesses who can testify to the gambling activity of subjects MODELL and HANNA.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)
(ATTENTION: FBI LABORATORY)

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI - FBW

DATE: 7/14/66

511279

b6
b7C

Re Report of SA [redacted] 1/13/66, at
Miami and Los Angeles teletype to Bureau, 7/12/66, captioned
[redacted] ET AL. ITWI - FBW. OO Los Angeles."

There is being forwarded by registered mail to the FBI Laboratory items which were seized on January 8, 1966 in the search of KENNETH HANNA's apartment located at 2290 N. E. 170th Street, North Miami Beach, and from HANNA's person when he was arrested.

The notebook taken from the person of HANNA is set forth on Page 83 of referenced report and other items taken in the search of HANNA's apartment are listed on Pages 90-93 of referenced report. All of the items taken in the search are being forwarded to the Laboratory. Those that are being forwarded are described below:

- A. One brown notebook taken from HANNA's person.
- B. Three sheets of plain white paper (believed to be dissolvable paper).
- C. Yellow lined sheet of paper with numbered notations.
- D. Three sheets of lined white paper containing telephone numbers, nicknames, etc.
- E. One brown notebook.
- F. Nine cancelled checks.

- ④ - Bureau (RM) (1 - Package RM)
- 1 - Los Angeles (166-462)
- 2 - Miami
(1 - 166-359)

WFH:mbr
(7)

REC-50

EX-113

165-1990-45

15 JUL 18 1966

b6
b7C

Subreport
7/21/66
FHM/BW

SEVEN
N

MM 165-592

G. Plastic envelope with brown spiral notebook, small ring notebook and identification folder.

H. A Bates List Finder or telephone desk index.

Departmental Attorney WALLACE JOHNSON has requested that the material seized from HANNA be examined and analyzed by an FBI Laboratory expert competent to testify in gambling matters. In this connection, it is noted that only items "C" and "D" listed above appear to have any gambling connection.

It is requested that a handwriting expert of the Laboratory also make an examination of the items submitted, particularly "C" and "D" as well as "A", "E", and "H". The Miami Office is endeavoring to get known samples of HANNA's handwriting and hand printing for comparison with the above items. Item "F" should be used as a comparison standard at this time. In the event Miami is able to obtain any known samples permissible in court, they will be submitted at a later date.

The Laboratory is also requested to examine item "B", the blank paper, and be qualified to testify to the characteristics of this paper and its purpose.

HANNA and MODELL are scheduled for trial in Miami in October, 1966, and expert testimony may be required at that time. [redacted] is scheduled 11 b6 b7C for trial in Los Angeles in early August, 1966, and therefore a copy of the results of this examination should be furnished to the Los Angeles Division, Los Angeles file 166-462.

The above-described items which are submitted to the Laboratory should be handled as evidence and be returned to the Miami Division at the conclusion of the Laboratory examination.



1 - LAB FILE

1 -

Room 1537

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

b6

b7C

To: **FBI, Miami (165-592)**Date: **July 21, 1966**

Re: **KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI - FBW**

John Edgar Hoover, Director

REC-50

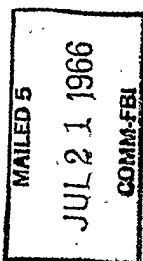
FBI File No. **165-1990-45**
Lab. No. **D-511279 DL**

EX-113

Examination requested by: **Miami**Reference: **Letter 7/14/66**Examination requested: **Document**

Remarks:

The evidence was forwarded to Los Angeles in response to a teletype request from the Los Angeles Office dated 7/19/66. Since only representative photographs were made, this evidence should be returned to the FBI Laboratory for any subsequent examinations which the Miami Office may request.



b6

b7C

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

Enclosures (2) (2 Lab report)
2 - Los Angeles (166-462) Enclosures (2) (2 Lab report)

FMM:GW (7)

JUL 27 1966

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

REPORT of the



FEDERAL BUREAU OF INVESTIGATION WASHINGTON, D. C.

To: FBI, Miami (165-592)
Re: KENNETH HERBERT HANNA, aka;
NATHAN MODELL
ITAR; ITWI - FBW

Date: July 21, 1966
FBI File No. 165-1990 45
Lab. No. D-511279 DL

Specimens received 7/18/66

- Q6 One brown notebook taken from HANNA's person (Item A)
- Q7 Three sheets of plain white paper (Item B)
- Q8 Yellow ruled sheet of paper with numbered notations (Item C)
- Q9 Three sheets of ruled white paper containing telephone numbers, nicknames, et cetera (Item D)
- Q10 One brown notebook (Item E)
- Q11 Nine canceled checks (Item F)
- Q12 Plastic envelope with brown spiral notebook, small ring notebook and identification folder (Item G)
- Q13 Bates List Finder or telephone desk index (Item H)

Result of examination:

An examination of Q6 through Q13 disclosed gambling action on a limited scale on Q8 and Q9.

Item Q8 shows the placement of a wager on the Baltimore Colts and Q9 shows the placement of a number of wagers on the Dallas Cowboys.

The paper comprising Q7 is a water-soluble variety. Paper of this type is sometimes used by professional gamblers.

Nothing else of particular significance was found which could be associated definitely with professional gambling.

Items Q6 through Q13 were forwarded to the Los Angeles Office by registered mail on July 20, 1966. Photographs were made of Q8, Q9, Q11 and parts of Q6, Q10 and Q12. No photographs were made of Q7 and Q13.

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

FMM:GW (7)

GW

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MIAMI	OFFICE OF ORIGIN MIAMI	DATE JUL 27 1966	INVESTIGATIVE PERIOD 4/29-7/15/66
TITLE OF CASE KENNETH HERBERT HANNA, aka; NATHAN MODELL		REPORT MADE BY [REDACTED]	TYPED BY ggr
		CHARACTER OF CASE ITAR; ITWI; FBW	

115 REFERENCE: Report of SA [REDACTED] 5/9/66, Miami. b6 b7C

- P -

LEADS

Leads to various offices for the interview of associates of KENNETH HANNA to establish voice identification and to identify individuals who can and will testify concerning HANNA's gambling activities have been set out in separate individual communications and are not being reported here.

Copies are being designated for Atlanta, New York and Newark inasmuch as investigation is being conducted concerning the subjects by these divisions.

MIAMIAT MIAMI, FLORIDA

1. Will endeavor to locate individuals willing to testify to HANNA's gambling activities in Miami.

Case has been: Pending over one year ☒ Yes ☐ No; Pending prosecution over six months ☐ Yes ☒ No

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ③ - Bureau (165-1990) 1 - USA, Miami (Attn: WALLACE JOHNSON) 2 - Atlanta (165-264) 2 - New York (165-1344) 2 - Newark (165-663) 5 - Miami (3 - 165-592) (1 - 162-341-HANNA) (1 - 92-353 [REDACTED])		165-1990-46	REC-13 EX-103
		8 AUG 1 1966	
		b6 b7C	

Dissemination Record of Attached Report			
Agency			
Request Recd.	CC, AAG, Criminal Division		
Date Fwd.	Organized Crime		
How Fwd.	Room 2524		
By	106		

71 AUG 17 1966

MM 165-592

2. Will continue to search for handwriting samples of KENNETH HANNA, along with appropriate witnesses to testify to same in court.

3. Will coordinate this investigation with the case captioned [REDACTED] ETAL. ITWI." OO: Miami, Bufile 92-3625, and the case captioned [REDACTED] ETAL, ITWI; ITAR; FBW," OO: Los Angeles.

b6
b7c

ADMINISTRATIVE

The following information was furnished Miami by the New York Office in connection with the investigation of NATHAN MODELL.

- B -

- COVER PAGE -

NY 165-1344

ENH:al

(1)

New York Office indices reflect the following information:

[REDACTED]

b6
b7C

[REDACTED]

b6
b7C

On June 3, 1962, [REDACTED] was called from phone subscribed to by [REDACTED]

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On June 5, 1961 call was made to Import and Export Company, 119 West 57th Street, New York City, where [REDACTED] Call was placed from Miami, Florida, phone number [REDACTED] subscribed to by [REDACTED]

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On June 18, 1962, [REDACTED] interviewed by Federal Bureau of Investigation agents. [REDACTED] advised he is a friend of [REDACTED] but did not know his name to be [REDACTED]

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On June 25, 1963, records of the New York City Police Department reflected there was no record for [REDACTED] New York City.

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On November 25, 1958 information developed through a confidential source that [REDACTED] New York, is a close friend of [REDACTED] subject of a New York anti-racketeering case.

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On July 24, 1958, [REDACTED] New York, advised he is a close friend of [REDACTED] since they both reside in [REDACTED] New York. [REDACTED] advised he is not aware of [REDACTED] activities.

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- CX -
- Cover Page -

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Miami, Florida
(Attention: Departmental Attorney WALLACE JOHNSON)

Report of: [REDACTED]
Date:

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Office: MIAMI, FLORIDA

JUL 27 1966

Field Office File #: 165-592

Bureau File #: 165-1990

Title: KENNETH HERBERT HANNA;
NATHAN MODELL

Character: INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSPORTATION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis:

KENNETH HERBERT HANNA arrested by Bureau Agents in Atlanta, Ga., on 5/16/66, and released on \$10,000 bond. Arrest of HANNA based on indictment, SDF, of HANNA, [REDACTED] and others, charging them with violation of T. 18, Sections 1084 and 1952, USC. [REDACTED] Los Angeles, identified photos of "blue box" found at HANNA's apartment on 1/8/66, as an instrument which he made and sold to [REDACTED] Inter-views of HANNA's acquaintances [REDACTED]

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[REDACTED] set forth. Motions in this case to be argued before Judge MEHRTENS, SDF, Miami, on 9/12/66, and trial scheduled for 10/25/66.

- P -

DETAILS:

On July 7, 1966, SA [REDACTED] held a conference with Departmental Attorney WALLACE JOHNSON, presently assigned in Miami. Mr. JOHNSON advised that the motions in this case are scheduled to be argued before Judge WILLIAM O. MEHRTENS on September 12, 1966, with the subsequent trial scheduled before Judge MEHRTENS on October 25, 1966.

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Mr. JOHNSON advised that he believed the following witnesses and testimony will be necessary at the time of the trial in order to achieve a successful prosecution in this case, with regard to NATHAN MODELL:

MM 165-592

- 1) Individual who can make a voice identification of NATHAN MODELL's voice on the telephone;
- 2) Witnesses who can testify that MODELL was in the business of gambling at the time of his arrest;
- 3) The hotel manager or official who can testify to the occupancy of Room 507, Salisbury Hotel by NATHAN MODELL and who can produce appropriate hotel records in this regard;
- 4) The arresting FBI Agents;
- 5) The appropriate telephone officials from New York City who can testify and produce the subscriber records for the telephone of NATHAN MODELL at the Salisbury Hotel;
- 6) Appropriate FBI Laboratory expert who can testify to the meaning and significance of any gambling records found at the time of the arrest of MODELL.

With regard to KENNETH HERBERT HANNA, the following witnesses will be required:

- 1) Individual who can make a voice identification of HANNA;

2) Appropriate [redacted] officials who can testify regarding the subscriber information for the telephones used by HANNA, the operation of the "blue box," explanation of the automatic machine accounting printouts. These witnesses will include, among others, [redacted]

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- 3) The FBI Laboratory expert who can testify concerning the meaning and significance of any gambling records etc. found in the arrest of HANNA and the search of HANNA's apartment;

MM 165-592

4) Witnesses who can testify that HANNA was in the business of gambling at the time of his arrest;

5) Expert handwriting testimony concerning records retained by HANNA.

FEDERAL BUREAU OF INVESTIGATION

Date 5/17/68

PATRICK JOHN CAMPANELLA, presently residing at Apartment 2B13, Cherry Hill Apartments, Cherry Hill, New Jersey, was advised that he did not have to submit to an interview, but that anything he said could be used against him in a court of law. SA **JOHN B. WILSON** told him that he was free to consult with an attorney or anyone else prior to saying anything.

CAMPANELLA furnished the following information:

Prior to moving to Florida about six years ago, **CAMPANELLA** had been a resident of Longate, New Jersey, for over twenty-five years. He was employed as a court attendant in Atlantic City and is widely known in that area, having many lawyers, judges, and political figures among his friends.

CAMPANELLA has been receiving a Social Security pension since age 62, and has supplemented his income by working for the Oil and Lumber firm in Florida and for **HARRY ROBINSON**, a large Chevrolet dealer in Philadelphia, Pennsylvania.

About six years ago, he was introduced to **HAROLD HARRIS** by mutual acquaintances at Monmouth Park Race Track, Oceanport, New Jersey. **HARRIS** appeared to be very knowledgeable concerning horse racing and was able to give **CAMPANELLA** several tips which proved profitable. Subsequently, he occasionally called **HARRIS** seeking information. He provided **HARRIS** with his address and telephone number hoping that **HARRIS** would call him, however, **HARRIS** never called.

CAMPANELLA was amazed to learn of **HARRIS**'s arrest in April in January, 1966, and because of the publicity became aware for the first time that **HARRIS** was a professional gambler. In fact, **CAMPANELLA** said, he had previously been ignorant of **HARRIS**'s last name or that he was known by the nickname "Pop".

On 5/15/68 at Cherry Hill, New Jersey File # 100-100-100

by SA [redacted] b6
b7C Date dictated 5/17/68

NY 105-363

CAMPBELL described himself as strictly a two-dollar bettor, but acknowledged that he associated with persons who do like to bet heavily. One of these is [REDACTED] CAMPBELL often attends the races with or for [REDACTED] and follows his instructions regarding betting.

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Regarding the use of any sort of toll collecting device, CAMPBELL said he had, prior to HANNA's arrest, been unaware that such a device existed. He claimed to have a great deal of difficulty with direct distance dialing and explained at length how he often insists that the operator place a call for him. He said that usually his telephone bill is quite small, although in January he was charged about \$29.00, caused by numerous calls from Miami to Baltimore at the time of his mother-in-law's death.

He emphatically denied ever using or having used for any sort of device which would aid in making calls without charges or records.

CAMPBELL said that he is presently sharing expenses and residing with [REDACTED] a horse trainer whom he met in Florida. [REDACTED] mentioned that CAMPBELL liked to attend races at New Jersey tracks and offered him a place in an apartment which he rented for the racing season. Also residing here are two others, [REDACTED] a pari-mutuel clerk and BERTY DEWAIN. CAMPBELL said [REDACTED] is from the vicinity of Elizabeth, New Jersey, and is associated in some way with the "Bumblers", a tip sheet sold at track entrance.

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CAMPBELL said he planned to remain at Cherry Hill until the end of the current meet at Garden State Race Track. He offered to make himself available for reinterview at any time. He stated, however, that he had no testimony to give regarding the gambling activities of HANNA HANNA.

FEDERAL BUREAU OF INVESTIGATION

Date 5/6/66

[redacted] also known as [redacted], who resides at [redacted] was interviewed [redacted]. He was advised of the identity of the interviewing agents, the fact that he did not have to make any statement, and any statement he did make could be used against him in a court of law. He was further advised of his right to counsel and the fact that no threats, promises or inducements would be made during the course of this interview.

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[redacted] advised that he was 55 years of age, and [redacted] located on [redacted]. He advised that through the years, [redacted] has gotten the reputation of [redacted]. He indicated that during the years he has come in contact and knows most everyone connected with sports in the Miami area.

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[redacted] readily admitted that because of his interest [redacted] that are on television. He stated the last contest he bet on was a professional basketball game played in March, 1966.

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He stated that most of his betting is done with a [redacted]. He could not recall his account number but thought it to be either [redacted]. [redacted] stated that he settled up with [redacted] each week, and this was done by [redacted]. He further stated that [redacted] is considered in the trade as a [redacted].

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Miami 165-592
Miami 165-594
Miami 162-327

On 5/4/66 at North Bay Village, Florida File # _____by SA [redacted] and [redacted]
SA [redacted] ljbb6
b7CDate dictated 5/5/66

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MM 162-327

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[redacted] who always honors his obligations. He was certain in his own mind that [redacted] was not involved with any gambling syndicate and was strickly a local bookmaker.

He continued stating that during March, 1966, he had

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[redacted] he was a friend of KEN HANNA, although he never placed any bets with him. He stated that any [redacted] HANNA was [redacted] now HANNA was betting in order that [redacted]

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He further stated that he was well acquainted with [redacted] although he has not [redacted] He explained this by stating that it was quite apparent to him that he was [redacted] inasmuch as [redacted] was furnishing him was not in agreement with other lines available in the area. He related that the only contact he has had with [redacted] in the last two years was just to find out how [redacted]. He said it was a known fact that [redacted]

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He further stated that he was acquainted and socially friendly with one [redacted] He stated that it is a known fact that [redacted] and worked for [redacted] It was his assumption that since [redacted]

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MM 165-594

MM 162-327

3

He said that [redacted] used to frequent the [redacted] on a regular basis until [redacted] caught him fooling around with another woman. Subsequent to this occasion, [redacted]

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[redacted] stated that during the 1965 Gulfstream Race Track season, he had [redacted] He attributed this to the fact that [redacted] a friend of his, and he was convinced [redacted]

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[redacted] stated that he feels one individual in particular should draw the attention of the FBI and Department of Justice. He indicated this individual to be [redacted] He termed [redacted] as a "real crook" and further added that [redacted]

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[redacted] said that it is his opinion which is shared by many, that Multiple Sports News Service (MSNS) [redacted]

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He continued stating that he had never been a customer or subscriber of the services rendered by MSNS although he felt that it was [redacted]

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[redacted] stated that there was one telephone in the [redacted] which was available to [redacted] connected with [redacted] He indicated that the [redacted]

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[redacted] and because of this, bettors
or bookmakers would in no way be able to avail themselves

[redacted] He further stated that he [redacted]
[redacted]

In conclusion, [redacted] stated that he was not or never
had been a bookmaker [redacted]
He did venture the opinion that there was certainly more money
to be made in bookmaking than there was as a bettor. [redacted]
stated that he was well aware of the Federal statutes involving
Interstate Gambling Activities and would cooperate with the FBI
in any way possible.

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MM 165-592

2.

Social Security Number

Characteristics

Relatives

Sisters

Slovenly

Brothers

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MM 165-592

The following background information concerning [redacted] was furnished in Cleveland communication to Miami May 12, 1966:

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1964 Directory, City of Canton, Ohio, reflects no Paperback Book Mart, Inc., however, Paperback Mart, Inc., 435 McKinley Avenue NW Canton, lists the owner as [redacted] Phone directory

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lists the home address for [redacted]

Deputy Sheriff [redacted], Stark County Sheriff's Office, Canton, Ohio, advised on May 12, 1966, no record could be located for [redacted]

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[redacted] Records, Canton, Ohio Police Department, advised on the same date that [redacted] born [redacted] employed [redacted]

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[redacted] Ohio address [redacted]

[redacted] Credit Bureau of Canton, Canton, Ohio, stated on May 12, 1966, that [redacted] had an excellent credit record since 1936 and no reflection except [redacted]

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[redacted] employment was listed with [redacted] termination unknown: [redacted]

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[redacted] Morale Squad, Canton, Ohio Police Department, advised that [redacted] had operated the Paperback Mart for over five years and he knew of no

MM 165-592

illegal activities other than the [REDACTED]

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[REDACTED] he indicated [REDACTED] had been employed with a local business concern and operated the Paperback Mart as a side line until two or three years ago when the business grew to be a fairly large book concern and then [REDACTED] has devoted full time to the Paperback Mart.

City Inspector [REDACTED] City Hall, Canton, Ohio, advised the Paperback Mart had been in business for approximately five years; however, no city license is required to operate same.

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FEDERAL BUREAU OF INVESTIGATION

Date June 13, 1965

[redacted]
[redacted] was interviewed at the
[redacted] Ohio, Resident Agency. He advised [redacted] HANNA
had telephoned him in February, 1965, and told him he was

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[redacted]
He advised HANNA
informed him that he was arrested for gambling and he was
aware of the recent arrest in Atlanta, Georgia, also,
however, he had never seen or knew anything about HANNA's
activities in this regard, nor had HANNA ever approached
him to take part in gambling. He stated the [redacted]
was very much like [redacted] and was not
used as a cover for gambling or any illegal activity to
his knowledge. He advised he had [redacted]
recently, and had never observed any gambling or any type.

He advised the above was his only business and
contact with HANNA, and he still had the [redacted]
[redacted]

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On 6-7-65 at Canton, Ohio File # Cleveland 162-252

by SA [redacted] /ste Date dictated 6-10-65

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FEDERAL BUREAU OF INVESTIGATION

1

Date 5/25/66

On May 25, 1966, [redacted] was placed under arrest by SA's [redacted] California. [redacted] was informed of the charges upon which he was being arrested by SA [redacted] the entire complaint filed before the United States Commissioner was read to [redacted] and he was advised at that time that it would be further explained to him by the United States Commissioner at Los Angeles. [redacted] was informed at 7:05 a.m. that he did not have to say anything and that any information furnished by him could be used against him in a court of law. He was informed by SA [redacted] that he had a right to talk to a lawyer of his own choosing or anyone else before saying anything at all, and if he was unable to pay for a lawyer, the judge would get one for him. b6 b7C

[redacted] stated that it was his first impression to say that he would not furnish any information until he had talked with his attorney; however, he did want to cooperate with law enforcement and that it would not be necessary to conduct a complete search of his residence looking for any of the material mentioned and described in the complaint against him. At this time, [redacted] stated that he had all of the material contained in one box and agents accompanied [redacted] to the front bedroom of his residence where, from an upper shelf in his closet, he removed a box which had been sealed with masking tape. This material was returned to the living room of the residence. b6 b7C

[redacted] said that his wife and three children were in the residence at that time. b6 b7C

[redacted] explained that all of the material contained in this box had been placed there by himself and that he had placed it in his closet away from his laboratory in his garage because he had the intent of dumping this box in the ocean the next time he was on a trip in his boat. b6 b7C

[redacted] said that it had been quite some time since he had worked on any of the components or parts which were contained in the box. b6 b7C

On 5/25/66 at [redacted] California File # Los Angeles 166-513

by SA's [redacted] and [redacted] Date dictated 5/25/66

2
LA 166-513

[redacted] stated that it was his personal opinion that he did not have any [redacted]

[redacted] said that he believed it was in the latter part of 1903 that [redacted]

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[redacted] California. [redacted] said that this had been brought on when he had read in the local newspapers of the arrest of an individual he recalled to be named MAC KINZIE. [redacted] said that from this newspaper article and the description of the device obtained from MAC KINZIE, that he was aware that it was similar to a device which [redacted] found to be in violation of the law.

[redacted] said that he had made a couple of copies of the penal code and believed that they were in the folder which was contained in the box he had removed from the closet.

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[redacted] stated he had [redacted] since reading the penal code and since reading the newspaper article with reference to MAC KINZIE's arrest.

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[redacted] said that it was his present recollection that he had [redacted]

[redacted] them to an individual known to him by the name of [redacted]. These were [redacted] said that [redacted] is the only individual who had [redacted] and was the only individual who had ever been in contact with him for the purpose of [redacted]. [redacted] said that he did not know of any of [redacted] associates or who he may have [redacted]. He stated that he could recall that [redacted] had mentioned [redacted] by the name of [redacted], but was not sure whether either of these individuals were to be the [redacted]

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[redacted] explained that he had been employed by [redacted]

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LA 166-513

California, which company went broke and he then was employed by [redacted] California, for approximately four months as a temporary employee, returning to [redacted] about October 1, 1965.

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[redacted] recalled that while employed at the [redacted] with an individual at this concern to make the [redacted] which he was having designed and built [redacted] stated that from [redacted] acquaintance with this fellow employee, [redacted] had asked him to furnish a bid for the [redacted] submitted in the amount of about [redacted] said that this bid was accepted and he did [redacted]

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It was from this acquaintanceship and working for [redacted] on one occasion brought to him an [redacted] which appeared to fit in an attache case. [redacted] explained to [redacted] that this instrument belonged to a friend of his and that it was used to [redacted] explained that [redacted]

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[redacted] stated that he had to refer to [redacted] in order to find the proper [redacted] After having [redacted] he returned it to [redacted] and at a later time, date not recalled at this time [redacted] approached him with the idea of having this [redacted]

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[redacted] said that the thought of this being [redacted] or being used for some criminal activity never entered his mind, but that to him this appeared to be a challenge in [redacted]

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[redacted] said that he told [redacted] he would undertake the [redacted] and then told him he would [redacted]

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LA 166-513

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need an advance for the purchase of parts. [redacted] furnished
[redacted] with approximately [redacted]
[redacted]

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[redacted] said that he recalled that after he told
[redacted]

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At this time in the interview [redacted] furnished this
drawing which he obtained from the area of his attached
garage from the second file drawer. It was noted that at
the top of this drawing was the address of [redacted]
which appeared to be handprinted in pencil. When questioned
with reference to this address, [redacted] said that this appeared
to be his handwriting and that he may have jotted it down and
it would have had no connection with the [redacted]
[redacted] When questioned as to whether or not this
had been an address where he had either [redacted]
[redacted] stated that he had never [redacted]
[redacted]

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[redacted] stated he had never regarded or considered
[redacted] as being a hoodlum or a big gangster, but more or less
felt that he was in the category of a con man.

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[redacted] said that he had never dealt directly with
nor did he know individuals named [redacted]

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[redacted] further stated he had never received any
[redacted]
[redacted] from anyone using the name [redacted] as a
reference. [redacted] stated he had never [redacted]
[redacted]

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LA 166-513

were actually cheating the telephone company out of revenue.

[redacted] said that [redacted] and that this has been within the last three months.

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[redacted] said that [redacted]
[redacted]
[redacted] recalled that [redacted] had told him on one occasion that he was [redacted] but other than this statement, he had no inkling that anyone else was [redacted]

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At this time in the interview, SA [redacted] inventoried the material located in the box furnished by [redacted] and a receipt was prepared for his signature.

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At this time [redacted] said that he had never [redacted] or himself, and that they were always [redacted]

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[redacted] which he had furnished and also explained that the [redacted] contained in the box was one which had [redacted]

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[redacted] stated that he never recalled [redacted] telling him [redacted] and vaguely recalled him stating one time that he could [redacted]

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At 8:15 a.m. [redacted] signed the receipt which was witnessed by SA's [redacted]

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It is to be noted that [redacted] also executed a consent of search of his residence.

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[redacted] was allowed to shower and dress after which he voluntarily exhibited [redacted] the garage attached to his residence.

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LA 166-513

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Two 8 x 10 inch photographs in black and white were displayed to [redacted] which reflected the interior and exterior of [redacted] at which time [redacted] identified these photographs as being those of a [redacted] [redacted] initialed the backs of these photographs to reflect that these are the ones he had observed.

At 9:06 a.m. [redacted] was transported to the offices of the Federal Bureau of Investigation at 1340 West Sixth Street, Los Angeles, California. Upon arrival in the office, he was furnished with a pack of Camel cigarettes at his request.

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While waiting to be photographed and fingerprinted, [redacted] stated he was born in [redacted] on [redacted] that he presently weighs 150 pounds and is considered to be 5 feet 8½ inches in height. He has blue eyes, formerly had blond hair which is now brown. He advised that he has [redacted]

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[redacted] said that he did not [redacted] in view of the fact that he had been [redacted] and was known as [redacted]

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LA 166-513

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At 10:05 a.m. [] was fingerprinted and photographed, after which he was transported to the office of the United States Commissioner at Los Angeles.

At 10:32 a.m., after [] appeared before the United States Commissioner, the hearing was continued to 10:00 a.m., June 8, 1966, in order to allow him to confer with his attorney. [] request that he be released on his own recognizance was granted by the United States Commissioner. The Commissioner ordered that [] be booked before the United States Marshal and then be released.

Following [] release, he was transported to his residence in []

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[redacted] explained that this was [redacted] which he had.

[redacted] said that in further recalling conversations with [redacted] with reference to the [redacted] that something was mentioned with reference to [redacted] and also to one possibly being used by a [redacted] said he believed he remembered hearing the name [redacted]

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When [redacted] was left at his residence at 11:40 a.m., he said he would cause a search to be made of his bank account as well as his vouchers in an attempt to definitely determine the dates he had [redacted] and possible telephone calls in connections with this between himself and [redacted] He pointed out that each time [redacted]

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[redacted] last statement was to the effect that he intended to cooperate 100 per cent with the hopes of being used as a Government witness.

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FEDERAL BUREAU OF INVESTIGATION

Date May 26, 1966

On May 26, 1966 while [redacted] was in the offices of Assistant United States Attorney JOHN LALLEY and in the presence of his attorney, [redacted] of Pasadena, California who gave [redacted] permission to cooperate with the FBI the following information was developed:

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Colored 8" X 10" photographs of an electronic device which had been found in the possession of KENNETH HANNA of 2290 NE 170th Street, Miami, Florida were displayed to [redacted] by SA [redacted] identified the electronic device depicted in the series of photographs as being identical to an instrument which [redacted] stated that it was possible to positively identify such an object through the type of work [redacted]

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On 5/26/66 at Los Angeles, California File # LA 166-513

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by SAS [redacted] Date dictated 5/26/66

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MM 165-592

Subject KENNETH HERBERT HANNA was arrested at Atlanta, Georgia, on May 16, 1966, by Bureau Agents based on an indictment returned in the Southern District of Florida on May 16, 1966. This indictment charged HANNA, along with [REDACTED] and others, with violation of Title 18, Sections 1952 and 1084, U. S. Code.

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HANNA at this time declined to furnish any information regarding his interstate gambling activities and was thereafter released on \$10,000 bond on May 16, 1966, at Atlanta, Georgia.

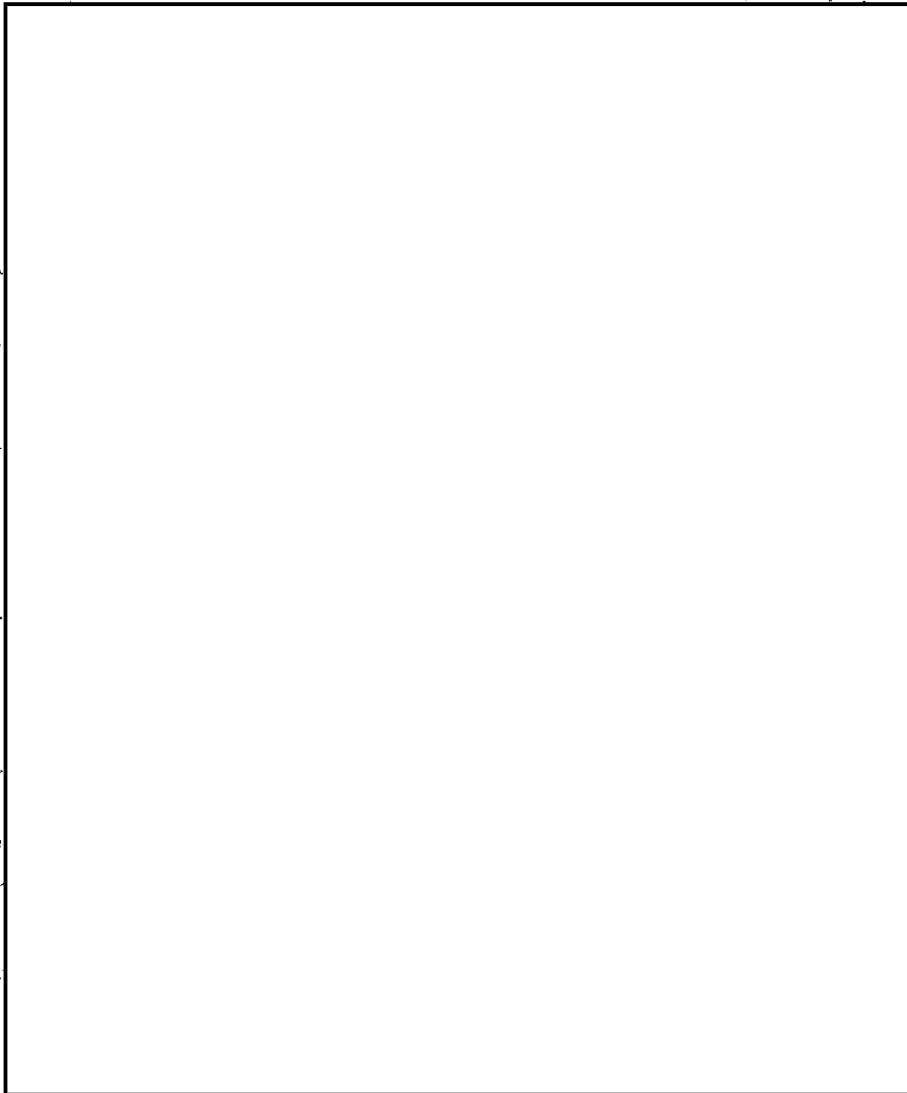
The following investigation was conducted by the New York Division with regard to subject NATHAN MODELL:

NY 165-1344

ENH:cmr

(1)

On April 12, 1956, SA AUGUST J. NICHI caused the records of the New York City Police Department to be searched for the following individuals with negative results:



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NY 105-1304

REDACTED

(1)

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On April 20, 1956, [REDACTED] advised Investigative
Corl (IC) [REDACTED] of the following:

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[REDACTED] reside at [REDACTED]
[REDACTED] New York. He is self-employed at [REDACTED]
[REDACTED] A [REDACTED] [REDACTED]
[REDACTED] on 9/25/53 by [REDACTED]

[REDACTED] reside at [REDACTED]
[REDACTED] He is employed at [REDACTED]
[REDACTED]

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[REDACTED] advised she has no record for the following:

[REDACTED]

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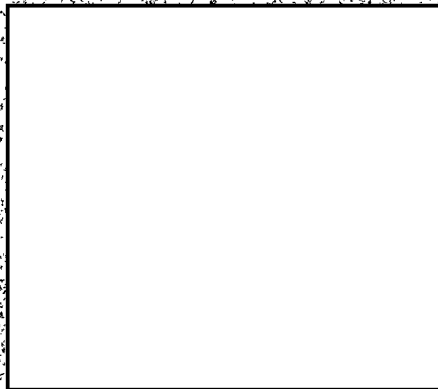
[REDACTED]

NY 165-1944

NY 165-1944

1.

On April 22, 1946, [redacted] Credit
Bureau of Greater New York, advised to [redacted]
she had no record for the following:



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[redacted] advised her records reflect the following:

[redacted] resides at [redacted]

New York. On January 15, 1955, a bankruptcy was brought
against [redacted]

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[redacted] resides at [redacted]

[redacted] New York. A litigation brought against [redacted] on January
11, 1954, for [redacted] On March 7, 1955, litigation brought
against [redacted] for [redacted] On May 12, 1955, litigation
brought against [redacted] for [redacted]

b6
b7C

NY 165-1304

ENH:krg

1.

On April 25, 1966, [redacted] Clerk
Credit Bureau of Greater New York, advised IC [redacted]
[redacted] has no record for the following:

b6
b7C

[redacted]
[redacted] advised her records reflected the
following:

[redacted] resides at [redacted]
[redacted] She is employed at [redacted]

b6
b7C

[redacted] resides at [redacted]
[redacted] New York.

[redacted] resides at [redacted]
[redacted] New York. He is employed as a [redacted] for
[redacted]

MM 165-592

The following investigation was conducted by
the Newark Division:

F B I

Date: 8/2/66

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

mm- TO: DIRECTOR, FBI (165-1990)
ATTENTION: FBI LABORATORY

FROM: SAC, NEW YORK (165-1344) (P)

SUBJECT: KENNETH HERBERT HANNA aka;
NATHAN MODELL aka
ITAR; ITWI-FBW
(OO:MIAMI)

b6
b7C

512609

Re Miami let to Director, FBI, dated 7/15/66.

Enclosed for the FBI Laboratory are the following four items:

1) One weekly basketball schedule published by Multiple Sports News Service, Miami, Fla., Volume # for games during the week ending 1/9/66.

2) One 4 x 6 inch white memo page with Hotel Salisbury letterhead bearing handwritten notations.

3) One 5 and 3/5 inch by 6 and 3/4 inch white memo page with Hotel Salisbury letterhead bearing handwritten notations.

4) One white memo page with Hotel St. Moritz letterhead bearing handwritten notations.

Above items were obtained from NATHAN MODELL pursuant to his arrest and search of his person on 1/8/66 at NYC.

4 - Bureau
(1 - FBI Laboratory) (Encls. 4) RM
1 - New York
(No encs rec'd Rting)
ENH:nbc
(6)

REC 54-165-1990-47
EX-104

AUG 3 1966

b6
b7C

ved: _____

Special Agent in Charge

Sent _____ M Per _____

COPY & SPECIMENS RETAINED IN LAB
FOR LAB ACTION & REPORT

INDEX LAB FILES
33

SEARCHED
SERIALIZED
INDEXED
FILED

NY 165-1344

It is requested that an appropriate FBI Laboratory expert examine the above items to ascertain if the above are gambling records in order that an expert can testify to the significance of these records found at the time of the arrest of NATHAN MODELL per request in referenced letter.

1 - Lab file



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: **FBI, New York (165-1344)**

Date: **August 15, 1966**

Re: **KENNETH HERBERT HANNA, aka
NATHAN MODELL, aka
ITAR; ITWI - FBW**

(OO: Miami)

J. Edgar Hoover
John Edgar Hoover, Director

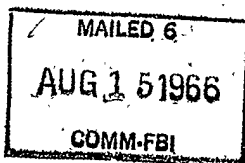
EX-103
REC-138
File No. 165-1990-47
Lab. No. D-512609 DL

Examination requested by: **New York**

Reference: **Airtel 8/2/66**

Examination requested: **Document**

Remarks:



Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

Enclosures (6) (Q14 through Q17, 2 Lab report)
2 - Miami (165-592) Enclosures (2) (2 Lab report)
FMM: SP (6)

b6
b7C

56 AUG 19 1966

ADMINISTRATIVE PAGE

MAIL ROOM ☒ TELETYPE UNIT ☐



1535

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: **FBI, New York (165-1344)**

Date: **August 15, 1966**
FBI File No. **165-1990**
Lab. No. **D-512609 DL**

Re: **KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI - FBW**

Specimens received **8/3/66**

- Q14 Weekly Basketball and Hockey Schedule, Volume 4, Number 6, published by Multiple Sports News Service, Miami, Florida**
- Q15 One sheet of white memo paper with Hotel Salisbury letterhead bearing handwritten notations**
- Q16 Portion of sheet of white memo paper with Hotel Salisbury letterhead bearing handwritten notations**
- Q17 Sheet of white memo paper with St. Moritz letterhead bearing handwritten notations**

Result of examination:

It was determined item Q14 is gambling paraphernalia of the type commonly associated with professional bookmaking based on the outcome of collegiate basketball contests. The handwritten notations consist in part of the point spread. Also included are what purport to be telephone numbers and miscellaneous matters.

Items Q15, Q16 and Q17 were not associated definitely with professional bookmaking operations.

Items Q14 through Q17 are being returned to the New York Office herewith. Photographs are retained.

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

EMM: SP (6)

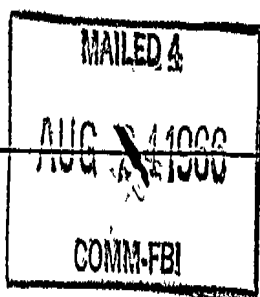
MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: 8/25/66

Re: KENNETH HERBERT HANNA, aka
et al.
ITAR; ITWI; FBW

TO: SAC, Miami



Invoice of Contents

Q6 - Q13

717788

Registered

*Sent 8/25/66
mm*

- ☐ Crypt.-Trans.
☒ Document
☐ Electronics
☐ P & C
☐ LFPS

Special Instructions:

Mail Room: Show shipment date and registry number.

Shipping Room: Show shipment date; bill of lading number;

initial invoice; return to Section checked in block; after

initialing in block, invoice to be placed in administrative file.

FBI File No. 165-1990

8/25/66

D-513330 DL

D-513720 DL

55 AUG 26 1966
168

SAC, Atlanta

8/15/66

Director, FBI

b6
b7C

[REDACTED]
LEWIS
AFFile (165-193)
Bufile (165-1536)

[REDACTED]
KENNETH HERBERT MARINA;
LEWIS
AFFile (165-269)
Bufile (165-1999)

KENNETH HERBERT MARINA;
NATHAN MOORE;
LEWIS; LEWIS; LEWIS
AFFile (165-265)
Bufile (165-1990)

Bureau approval is granted for you to obtain records of toll calls made by subject, in each of the above-captioned cases, from telephones available to him.

Insure a copy of this letter is made and placed in each of the above-captioned files in your office.

JON:sga
(6)

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

54 AUG 23 1966

MAIL ROOM ☐ TELETYPE UNIT ☐

DUPLICATE YELLOW

165-1990-

NOT RECORDED

174 AUG 17 1966

165-1586-5

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990) DATE: 8/10/66
ATTENTION: FBI LABORATORY (D-511279 DL)

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FBW

513330

(OO: Miami)

Re Miami letter to Bureau dated 7/14/66, Los Angeles teletype to Bureau dated 7/19/66 captioned [REDACTED] ET AL. ITWI," Los Angeles file 166-610, and Bureau letter to Miami dated 7/21/66. 166-1765 - DL

b6
b7C

The referenced Bureau letter to Miami advised that the evidence in this case was forwarded to the Los Angeles Office for utilization in the case captioned [REDACTED] ET AL. ITWI. OO LOS ANGELES."

Los Angeles is requested to return to the FBI Laboratory the evidence which was forwarded to that division in the HANNA case.

The Atlanta Division is requested to forward to the Lab the address book which was seized from HANNA on 5/16/66 when HANNA was arrested by Agents of the Atlanta Office.

The FBI Lab is requested to make a handwriting comparison between the address book submitted by the Atlanta Office and the handwriting in the notebook taken from HANNA's person on 1/8/66 designated by the Lab as Q6 and also a comparison of the handwriting and hand printing between these two notebooks and the handwriting and printing appearing

- ③ - Bureau
2 - Los Angeles (166-462)
2 - Atlanta (165-265)
1 - Miami
WFH:vc

(8)

AUG 31 1966

REC-41

165-1990-48

AUG 12 1966

SEVEN

MM 165-592

on the three sheets of ruled white paper containing
telephone numbers, nicknames, etc., Lab designation
Q9.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 8/16/66

FROM: SAC, LOS ANGELES (166-462)(P)

ATT: FBI LABORATORY
(D 511279 DL)

SUBJECT: KENNETH HERBERT HANNA, aka;
Et Al
ITAR; ITWI; FBW
OO: MIAMI

513720

Re Bureau letter to Miami dated 7/21/66, and Miami letter to Bureau 8/10/66.

In accordance with instructions set out in referenced letters, under separate cover, there is being forwarded to the FBI Laboratory evidence obtained in the Miami Division in connection with the HANNA investigation, which had been forwarded to the Los Angeles Office by the Bureau for utilization in the case captioned, [REDACTED] Et Al. ITWI", OO: Los Angeles. 166-1105-DL

b6
b7C

The following items are being returned:

- Q6 - 1 brown notebook taken from HANNA's person (Item A)
- Q7 - 3 sheets of plain white paper (Item B)
- Q8 - Yellow ruled sheet of paper with numbered notations (Item C)
- Q9 - 3 sheets of ruled white paper containing telephone numbers, nicknames, etc. (Item D)
- Q10 - 1 brown notebook (Item E)
- Q11 - 9 cancelled checks (Item F)
- Q12 - Plastic envelope with brown Spiral notebook, small ring notebook and identification folder (Item G)

- ③ - Bureau
(1 - Package) (REGISTERED MAIL)
- 1 - Miami (info)
- 2 - Los Angeles
TLD/mjg

(6)

REC-11

18 AUG 1966

Lab rec'd
8-25-66
JMM:fa

LA 166-462

Q13 - Bates List Finder or telephone desk
index (Item H)

The Los Angeles Division has no further need of
this evidence at this time, but it may possibly be required
in the future contingent upon the outcome of pending appeals.



1 - Lab File

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: FBI, Miami (165-592)

Date: August 25, 1966

Re: KENNETH HERBERT HANNA, aka
et al.
ITAR; ITWI; FBW
(OO: Miami)

J. Edgar Hoover
John Edgar Hoover, Director

REC-125

EX 101

FBI File No. 165-1990 - 49
Lab. No. D-513330 DL
D-513720 DL

Examination requested by: Miami, Los Angeles

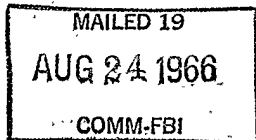
Reference: Letters 8/10/66, 8/16/66

Examination requested: Document

Remarks:

A further examination will be made as soon as the
address book is received from the Atlanta Office.

Enclosures (2) (2 Lab report)
2 - Los Angeles (165-462) Enclosures (2) (2 Lab report)
1 - Atlanta (165-265) Enclosure (Lab report)



Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

3m2
FMM fa (7)

37 AUG 30 1966

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C



1537

7625 (P)

**REPORT
of the**



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: **FBI, Miami**
Re: **KENNETH HERBERT HANNA, aka
et al.
ITAR; ITWI; FBW**

Date: **August 25, 1966**
FBI File No. **165-1990**
Lab. No. **D-513330 DL
D-513720 DL**

Specimens received

8/18/66, from FBI, Los Angeles

Resubmission of Q6 through Q13, described as follows:

- Q6 One brown notebook taken from HANNA's person (Item A)
- Q7 Three sheets of plain white paper (Item B)
- Q8 Yellow ruled sheet of paper with numbered notations (Item C)
- Q9 Three sheets of ruled white paper consisting of telephone numbers, nicknames, et cetera (Item D)
- Q10 One brown notebook (Item E)
- Q11 Nine canceled checks (Item F)
- Q12 Plastic envelope with brown Spiral notebook, small ring notebook and identification folder (Item G)
- Q13 Bates List Finder or telephone desk index (Item H)

Request received 8/12/66, from FBI, Miami

Request comparison of handwriting in address book submitted by the Atlanta Office with notebook (Q6) and with three sheets ruled white paper (Q9)

Result of examination:

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

It was determined the bulk of the handwriting, hand printing and numerals on Q6, Q9, Q10 and Q13 were prepared by one person.

Items Q6 through Q13 are being forwarded to the Miami Office under separate cover by registered mail. Photographs are retained.

FMM:f (7)

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)
ATTN: FBI Laboratory

DATE: 8/20/66

FROM : SAC, ATLANTA (165-269) (P)

SUBJECT: KENNETH HERBERT HANNA, aka.;
ET AL.,
ITAR; ITWI; FBW
(OO: Miami)

514128

Enclosed for the FBI Laboratory is an address book seized from subject HANNA on 5/16/66 when HANNA was arrested by Agents of the Atlanta Office.

The FBI Laboratory is requested to conduct examination set forth in Miami letter to Laboratory, 8/10/66.

Following completion of examination, the Laboratory is requested to return the address book to this office.

- 3 - Bureau (Enc. 1) (RM)
- 1 - Miami (165-592) (Info)
- 1 - Los Angeles (166-462) (Info)
- 3 - Atlanta (2 - 165-269)
(1 - 165-265)

JRG:met
(8)

EX-102

REC-51

165-1990-50

14 AUG 23 1966

165-1990

Lab report
8/30/66
FMM:AB/B

SEVEN

ENTER

COPY 3 SPECIMENS RETAINED IN LAB
FOR LAB ACTION & REPORT

REPORT
of theFEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: **FBI, Atlanta (165-269)**

Re: **KENNETH HERBERT HANNA, aka;**
et al.
ITAR; ITWI; FBW;

Date: **August 30, 1966**

FBI File No. **165-1990**

Lab. No. **D-514128 DL**

Specimens received **8/24/66**

Q18 Red address book No. 1-321-----49, containing handwritten and hand printed names and addresses

Result of examination:

It was determined the handwriting, hand printing and numerals in the address book designated as Q6, the white ruled paper designated as Q9, the address book designated as Q10 and the desk index designated as Q13 were prepared by the person who prepared the handwriting, hand printing and numerals in the address book designated as Q18.

Item Q18 is being returned to the Atlanta Office herewith. Photographs are retained.

FMM:SJB (7)

503

Tolson _____

DeLoach _____

Mohr _____

Wick _____

Casper _____

Callahan _____

Conrad _____

Felt _____

Gale _____

Rosen _____

Sullivan _____

Tavel _____

Trotter _____

Tele. Room _____

Holmes _____

Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐



1-Lab File

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.**

To: **FBI, Atlanta (165-269)**

Date: **August 30, 1966**

Re: **KENNETH HERBERT HANNA, aka;
et al.
ITAR; ITWI; FBW**

J. Edgar Hoover
John Edgar Hoover, Director

OO: **Miami**

Examination requested by: **Atlanta**

Reference: **Letter 8/20/66**

Examination requested: **Document**

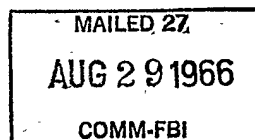
Remarks:

FBI File No. **165-1990**
Lab. No. **D-514128 DL**

EX 101

Enclosures (3) (Q18, 2 Lab report)
2 - Miami (165-592) Enclosures (2) (2 Lab report)
1 - Los Angeles (165-462) Enclosure (Lab report)

FM
FMM:SJB (7)
SJB



Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

SEP 2 1966

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

1537

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990) DATE: 8/25/66
(ATTN: FBI LABORATORY)

FROM : SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL.
ITAR; ITWI; FBW
(OO: Miami)

Re Miami letter to the Bureau, dated 8/10/66.

The Departmental Attorneys in this case have agreed to make available to the Defense Council prior to trial Xeroxed copies of material seized at the time of HANNA's arrest.

By referenced Miami letter, the Atlanta Division was requested to forward to the Laboratory the address book which was seized from HANNA on May 16, 1966, when HANNA was arrested by Bureau Agents in Atlanta.

If the Atlanta Office has not yet forwarded this address book seized from HANNA, it is requested that two Xeroxed copies of this address book and contents be made and forwarded to the Miami Division. In the event the address book has already been forwarded to the Laboratory, the Laboratory is requested to make two Xerox copies and forward same to Miami in order that they can be turned over to the Departmental Attorneys.

③ - Bureau 269
2 - Atlanta (165-265)
1 - Miami
WFH: jgm
(6)

REC-10 165-1990-51

EX-113

AUG-30-1966

SEVEN

SEVEN

b6
b7C



Let antel
9/2/66

SEP 13 1966

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

F B I

Date: 8/31/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO: DIRECTOR, FBI (165-1990)
(ATTENTION: FBI LABORATORY)b6
b7C

FROM: SAC, MIAMI (165-592) (P)

KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW
(OO: MIAMI)

Departmental Attorney WALLACE JOHNSON, Miami, has requested that the evidence in this case be made available to him as soon as possible, in view of pre-trial conferences, at which time evidence will be identified and marked for the court.

New York is requested to immediately forward, to the Miami Division, the four items of evidence returned to the New York Office by Bureau Lab, letter dated 8/15/66, which were seized from MODELL when MODELL was arrested.

The Lab is requested to forward the notebook of KENNETH HANNA's to Miami, which notebook was seized from HANNA at the time of his arrest, on 5/16/66. In this letter it is noted that Miami has previously requested two Xerox copies of this same notebook.

4 - Bureau
2 - New York (165-1344)
1 - Miami
WFH/mgm

(7)

REC-10

EX-113

4 SEP 1 1966

b6
b7C

Approved: _____

Sent _____

Special Agent in Charge

SEVEN

NOTED

1-Mr. Griffith
1-Mr. Miller
1- b File (165-1990)

9/2/66

Airtel

To: SAC, Miami (165-592)

From: Director, FBI (165-1990) - 52

KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW
OO: MIAMI

EX-113

Reurairtel 8/31/66 and reurlet 8/25/66.

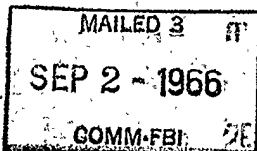
The notebook seized from KENNETH HERBERT HANNA following his arrest by Agents of the Atlanta Office on 5/16/66 was returned to the Atlanta Office with a Laboratory report dated 8/30/66. This notebook was designated as Q18. In accordance with the request by the Miami Office, the Atlanta Office should immediately forward this notebook to Miami.

In response to the request from the Miami Office, two sets of photographs of those pages of the notebook designated as Q18 bearing handwriting are attached.

Enclosures (2)
2 - Atlanta (165-269)
1 - New York (165-1344)

3m
FMM:PJH (9)

Mr. Tolson_____
Mr. DeLoach_____
Mr. Mohr_____
Mr. Wick_____
Mr. Casper_____
Mr. Callahan_____
Mr. Conrad_____
Mr. Felt_____
Mr. Gale_____
Mr. Rosen_____
Mr. Sullivan_____
Mr. Tavel_____
Mr. Trotter_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____



SEP 13 1966

Mail Room

b6
b7C

1537

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MIAMI	OFFICE OF ORIGIN MIAMI	DATE SEP 13 1966	INVESTIGATIVE PERIOD 5/26 - 9/6/66
TITLE OF CASE KENNETH HERBERT HANNA, aka; NATHAN MODELL, aka		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY sl
		CHARACTER OF CASE ITAR; ITWI; FBW	

REFERENCEReport of SA at Miami.

dated 7/27/66

b6
b7C

- P -

LEADS

Leads to various offices for the interview of the associates of KENNETH HANNA have been set out in separate communications and are not being reported here.

Copies of this report are being designated for Atlanta, New York, and Newark inasmuch as investigation is being conducted concerning the subjects by these Divisions.

Case has been: Pending over one year ☐ Yes ☒ No; Pending prosecution over six months ☒ Yes ☐ No

APPROVED <div style="border: 1px solid black; width: 100px; height: 40px; display: flex; align-items: center; justify-content: center;">SPECIAL AGENT IN CHARGE</div>		DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ③ - Bureau (165-1990) 1 - USA, Miami, Att: Departmental Attorney WALLACE JOHNSON 2 - Atlanta (165-264) 2 - Newark (165-663) 2 - New York (165-1344) 5 - Miami (3 - 165-592) (1 - 162-341) (HANNA) (1 - 92-353) <div style="border: 1px solid black; width: 50px; height: 20px;"></div>		<div style="display: flex; justify-content: space-between;"> <div>165-1990-53</div> <div>REC-48</div> </div> <div style="text-align: center; margin-top: 20px;">15 SEP 14 1966</div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>EX-103</div> <div>EX-103</div> </div>	
Dissemination Record of Attached Report		Notations	
Agency	Request Recd.	<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px;">STAMP</div> <div style="font-size: 2em; margin-top: 10px;">9-19-66</div> </div>	
Date Fwd.	How Fwd.		
By			

MM 165-592

MIAMI

AT MIAMI, FLORIDA

1. Will continue to identify and interview subjects' associates in the Miami area in an effort to locate witnesses who can testify to HANNA's gambling activities.

2. Will follow prosecutive action in this case.

3. Will coordinate investigation with the case captioned [REDACTED] ET AL, ITWI," office of origin Miami, BuFile 92-3625.

b6
b7C

4. Will continue investigation to locate suitable handwriting specimens of subject HANNA.

ADMINISTRATIVE

On [REDACTED] advised that
KENNETH HERBERT HANNA, [REDACTED] and
[REDACTED] aka. had earlier in [REDACTED]

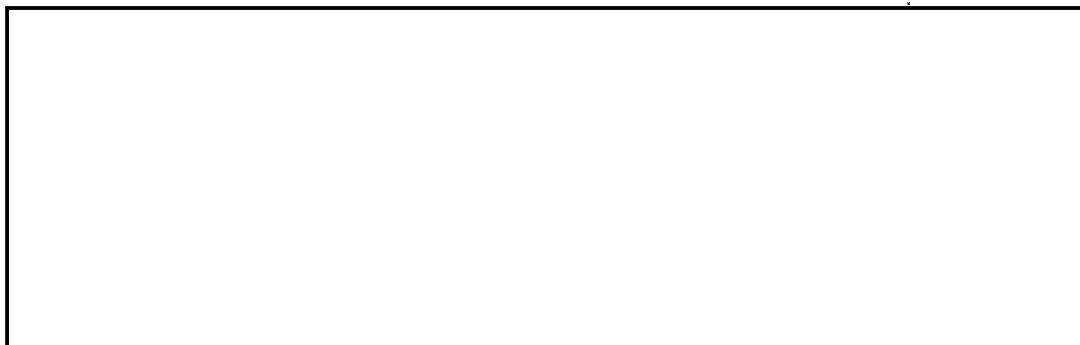
b2
b7D
b6
b7C

A new case captioned [REDACTED] aka;
KENNETH HERBERT HANNA, aka; [REDACTED] aka; ITAR -
GAMBLING, office of origin New York, Miami File 166-389,
has been opened with regard to the above.

b6
b7C

b2
b7D
b6
b7C

MM 165-592



b2
b7D
b6
b7C

Departmental Attorney WALLACE JOHNSON advised SA [redacted] on 9/2/66 that J. HOGAN, co-counsel with BEN COHEN, had advised him that [redacted] and others would probably plead guilty in their respective cases. HOGAN told JOHNSON, however, that HANNA does not desire to plead in any case and therefore instant case will probably be coupled with HANNA's indictment in the [redacted] case and HANNA tried in both cases at the same time.

b6
b7C

The information contained on Page 23 and Page 24 of this report concerning the records of [redacted] Mississippi, was obtained by IC [redacted]

b6
b7C
b7D

C*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - United States Attorney, Miami, Florida
Attention: Departmental Attorney
WALLACE JOHNSON

Copy to:

Report of:
Date:

[REDACTED]

SEP 13 1966

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Office: Miami, Florida

Field Office File #: 165-592

Bureau File #: 165-1990

Title: KENNETH HERBERT HANNA;
NATHAN MODELL

Character: INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
Synopsis: FRAUD BY WIRE

Pre-trial hearing set for 9/12/66 before Judge
MEHRTENS, SDE Miami Interview of associates of HANNA
set forth. [REDACTED]

[REDACTED] NATHAN MODELL prior to
MODELL's arrest in New York City on 1/8/66. Laboratory
reports concerning material seized from MODELL and HANNA
set forth.

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- P -

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MM 165-592

DETAILS

I. INVESTIGATION REGARDING KENNETH HERBERT HANNA

FEDERAL BUREAU OF INVESTIGATION

1

Date 8/18/66

[redacted] residence [redacted]
[redacted] telephone number [redacted] advised that he
is presently employed for himself [redacted]
explained that he [redacted] to anyone interested and
that he [redacted]

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[redacted] stated he has known KEN HANNA since
approximately 1953, having met HANNA [redacted]
He described HANNA as a "commission man" for bookmakers and
explained this term by stating HANNA received a commission of
the bookmaking action which he handled and passed on to
other bookmakers. [redacted] claimed that he has not seen or
talked with HANNA for approximately one year. He advised
that he had read of HANNA's arrest in the newspapers and
also that he recently heard that HANNA was now living in
Atlanta, Georgia.

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[redacted] pointed out that he, [redacted] is primarily
[redacted] and has had very little to do with
bookmakers. In this regard he claimed that [redacted]
[redacted] at one time was [redacted] along with
HANNA and others.

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[redacted] stated that on one occasion he [redacted]
[redacted] HANNA and [redacted]
approximately [redacted] said that this occurred
several years ago [redacted]

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[redacted] denied being engaged in bookmaking at this
time and also denied being involved in any interstate activity
in the gambling field. [redacted]
[redacted] the current
atmosphere in this field would not make the job worthwhile.

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On 8/17/66 at Miami, Florida File # Miami 165-592
165-624

by SA [redacted] was [redacted] Date dictated 8/17/66

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MM 165-592

MM 165-624

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[redacted] stated that he has [redacted]
[redacted] and
that he does not have a local license in this regard. [redacted]
stated that he served in the U. S. Army during World War II.

[redacted] denied having ever bet with HANNA.

[redacted] advised that he has not been barred from
the race tracks and that he [redacted]
[redacted] during the past winter season.

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FEDERAL BUREAU OF INVESTIGATION

Date 8/30/66

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[redacted] the Mount Washington Hotel, was advised of the identity of the interviewing Agent and that he did not have to say anything; that anything he did say could be used against him in a court of law and that before saying anything he had the right to seek advice from a lawyer.

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[redacted] advised that he [redacted] but that he has not [redacted]. He advised that he still plays the horses and bets himself whenever he gets a chance. He is acquainted with KENNETH HANNA whom he knows as KENNY HANNA and has been acquainted with him for a number of years. He has never known HANNA to book or accept wagers. He considers HANNA to be a "professional player", meaning that HANNA makes his living betting on horses and sporting events. HANNA is the type who would bet on two or three horses in a race instead of one. He would find out through his sources which horses stood the best chance of winning a particular race and then bet on the two or three horses which looked good. The same thing would apply to sporting events. If HANNA knew from his sources that a certain quarterback was unable to play on a certain day and this fact would seriously effect the play of the team that quarterback was on, HANNA would bet the other team.

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[redacted] advised that the above is just general knowledge on his part. He cannot specifically recall ever betting on anything with HANNA. He has had very little to do with him in three or four years. He does see him in different places in the Miami area but is not a close associate. He advised that it just seems to be general knowledge that this is how HANNA makes his living.

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On 8/24/66 at Bretton Woods, New Hampshire File # Miami 165-592
BS 165-602

by SA [redacted] grs [redacted] Date dictated 8/25/66

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2
MM 165-592
BS 165-602

He advised that he was aware that HANNA was arrested last January in Miami and that this arrest involved HANNA using some device to make long-distance telephone calls without paying for the calls. He stated that in his opinion, a person like HANNA would probably use the telephone more than the average bookie, especially long-distance calls, because he would be calling sources all over the country to obtain information on races or sporting events nationwide.

He advised that he did not desire to furnish a signed statement on the above; nor did he desire to testify concerning HANNA. He stated again that he had no specific knowledge of HANNA's activities.

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FEDERAL BUREAU OF INVESTIGATION

Date June 27, 1966

KENNETH A. DITTMAR was interviewed at his residence, Three Lenox Street, Edison, New Jersey. He was advised that he did not have to say anything and that anything he did say could be used against him in a court of law. SA [] told him that he had a right to seek counsel before making any statement. No threats, promises, or offers of reward were made to induce him to make a statement.

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DITTMAR said he received a degree in Engineering from Princeton University in 1925, although he had completed most of his undergraduate work by 1923. He said his grandfather was a veterinarian and his father an attorney. He was married 27 years ago and has resided at his present address for 26 years.

He said that upon leaving college and having a keen interest in horses, he became associated with various stables in the capacity of groom or trainer. He is presently licensed at all three New Jersey tracks, as well as tracks in Maryland and Florida. He has pending an application for a license in New York State.

He holds part interest in several horses, as well as the handicap sheet "Turfmaster" sold outside track entrances. In addition he derives income from some property in Brooklyn, New York, and a car wash in Highland Park, New Jersey. His activity is limited to the training, the handicapping, and the wagering on horses.

To this end, he travels every day to Oceanport, New Jersey, where he spends the entire day at Monmouth Park Race Track. He did the same thing during the 25-day meeting at Garden State Park and plans to similarly attend the session at Atlantic City Race Course.

He said like all persons who have had a long and close association with thoroughbreds, he gambles, sometimes heavily, on the outcome of races. Most of the time his betting is done through the pari-mutuel system; however, occasionally he will engage in

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On 6/16/66 at Edison, New Jersey File # Newark 165-663
by [] b6
b7C Date dictated 6/22/66

NK 165-663

parlay or round-robin betting with friends at the track. He said this is a common practice among "horse people."

DITTMAR said he has been conducting himself in this manner for over 40 years and has never attempted to carry on any activity clandestinely.

He said he first met KENNETH HANNA about six or seven years ago at Saratoga Race Track. He said he was aware that HANNA accepted horse bets and has himself on rare occasions bet with him. After their meeting, HANNA came to realize that DITTMAR possessed a wide knowledge of horses and would telephone DITTMAR regularly for information. DITTMAR said he never suspected that HANNA was using any toll-defeating device to call him, and he saw no reason for him to do so. He said he first became aware of the existence of such a device in January, 1966, upon reading of HANNA'S arrest. He noted that this was also the first time he learned of HANNA'S nickname "JAP."

DITTMAR acknowledged that HANNA called him occasionally during the summer of 1965 when DITTMAR was staying at a rented apartment located at 1622 Black Horse Pike, Cardiff, New Jersey. He noted that he has made arrangements for the rental of the same apartment which he will occupy during the 1966 racing season at Atlantic City. He said previously HANNA had called him at the residence of [redacted] in Long Branch, New Jersey. DITTMAR explained that last year for the season at Monmouth, he found it convenient to rent a room at the [redacted] residence which he used as a place to change clothes and clean up after working with the horses. He said he has had no contact with HANNA since his arrest and has been expecting to be interviewed about him. b6 b7C

DITTMAR also acknowledged that during his stay at Cardiff, he had been in frequent contact with an individual he knows as [redacted]. He said he contacted this person at [redacted] and exchanged information relative to the performance of horses at the New York and New Jersey tracks. He said he had also contacted this individual from the [redacted] residence. He said he knows of no name other than [redacted] and has never heard of [redacted]. DITTMAR claimed to have gotten [redacted] number from an unrecalled person in the horse handicapping business. He said he has never placed a bet with [redacted] and their conversations related only to the times, conditions, and general performance of horses at various racing distances.

NK 165-663

DITTMAR said that although horses and horse-betting has been his life-long activity, he has never knowingly associated with hoodlums who might seek to influence the outcome of a race illegally. He said he has too high a regard for animals to tamper with the health of a horse, nor would he have anything to do with any jockey who would deliberately prevent a horse from racing well. He conceded that not every horse is urged to his maximum effort in every race, but that this situation is usually dictated by the condition of the horse, the track surface, or factors other than the betting odds. He explained that if a valuable horse is recovering from some infirmity, an owner would be foolish to demand that he be "ridden out," thus risking his complete breakdown. At the same time, the scrupulous owner recognizing that his horse will benefit from training he can receive only in actual competition may instruct the jockey, "Don't hurt him..." DITTMAR said that in this case the understanding jockey would allow the horse to run if he wished but would refrain from injudicious use of the whip.

Concerning JOHN CAMPBELL, who shared quarters in Cherry Hill, New Jersey, with trainer [redacted] and DITTMAR last spring, DITTMAR said CAMPBELL is practically ignorant of horses, racing, and wagering. He said CAMPBELL acts almost solely as a messenger for the [redacted] prominent Chevrolet dealers. At their instructions, CAMPBELL wagers with their money since he has little of his own. DITTMAR believed that it was at the [redacted] urging that CAMPBELL cultivated an association with HANNA in hopes of securing reliable information about horses. DITTMAR doubted that CAMPBELL would be capable or inclined to use any toll-defeating device but did not rule out the possibility that HANNA could have operated from CAMPBELL'S home on occasion.

DITTMAR said that in retrospect the only one of his former associates he believed might have had racket connections was a bookmaker in Cincinnati he knew as [redacted]. He said he has heard that [redacted] was in trouble over an income tax case and has moved to Las Vegas, Nevada. DITTMAR said he has had no contact with [redacted] for more than five years. He said prior to this if he was following the progress of a particular horse, particularly at the Illinois or California tracks, he might call [redacted] and bet with him.

DITTMAR concluded by saying that he will be available for interview at any time, noting that during the winter season he resides in quarters at 1921 Mayo Street, Hollywood, Florida, which he described as being near the Food Fair market.

FEDERAL BUREAU OF INVESTIGATION

Date July 18, 1966

JOSEPH CONNELLY was interviewed at his residence, 345 West 55th Street, New York City. He was advised of the identity of the interviewing agents and further advised he did not have to say anything, anything he did say could be used in a court of law, and he could consult with an attorney before saying anything.

CONNELLY advised he has known KEN HANNA since 1947 when CONNELLY and his wife were living in a cabin next to KEN HANNA and his wife in Saratoga, New York. CONNELLY stated at that time he worked on Wall Street for an insurance firm and spent his summer working in Saratoga in a casino as a floor manager.

CONNELLY advised his wife and HANNA's wife became close friends and whenever HANNA was in New York, they would get together for dinner.

CONNELLY advised he knew of HANNA's reputation as a bookmaker, but that he has never placed a bet with HANNA. CONNELLY said his only relationship with HANNA has been as mutual friends.

CONNELLY further advised he had not heard from HANNA for several years until late March or early April when he received a phone call from HANNA that he was in New York. At this time, HANNA told him he had had some problems and had been arrested by the Federal authorities. He told CONNELLY he was now residing in Atlanta, Georgia, and operating a paper-back bookstore on Peachtree Street.

CONNELLY advised NATHAN MODELL is unknown to him. He stated he has heard of [redacted] by reputation only; he has never met [redacted]. HANNA told CONNELLY he had been involved with [redacted] in Miami.

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On 7/11/66 at New York, New York Miami 165-592
File # 165-1344

by

[redacted]
[redacted] jlwb6
b7CDate dictated 7/15/66

MM 165-592
NY 165-1344

CONNELLY advised for the last four years he has worked as a floor manager for the International Casino in Port-au-Prince, Haiti, from October until March each year.

The following description of CONNELLY was obtained through observation and interview:

Name	JOSEPH CONNELLY
Race	White
Sex	Male
Address	345 West 55th Street New York City
Telephone	245-0074
Employment	Floor Manager International Casino Port-au-Prince, Haiti, West Indies
Marital Status	Married
Height	5 feet 11 inches
Weight	185
Hair	Grey
Eyes	Brown
Date of Birth	March 4, 1898
Place of Birth	Boston, Massachusetts

CONNELLY advised telephone number MU 4-9231 is the phone at his wife's employment.

FEDERAL BUREAU OF INVESTIGATION

Date 8/29/66

[redacted] was interviewed at his residence, [redacted] New York City. [redacted] advised, he subscribes to telephone number [redacted]

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[redacted] advised he knew HANNA [redacted] HANNA in Miami, Florida. He advised he has not seen or heard from HANNA in approximately five years.

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[redacted] he made HANNA's acquaintance. He advised that he [redacted] HANNA in Miami and [redacted] in Miami. He states he only saw HANNA on one or two occasions in New York City. [redacted] advised HANNA never called him from Miami and he never called HANNA from New York City.

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[redacted] advised NAT MODELL is unknown to him.

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Miami 165-592

On 8/19/66 at New York, New York File # 165-1344

by SA [redacted] nsc Date dictated 8/25/66

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FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following
information obtained [redacted]

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No other information was available.

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted]
[redacted] Florida, or his authorized
representative.

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14

On 9/6/66 at Miami Beach, Florida File # Miami 165-592

by SA [redacted] :sl 9/6/66
Date dictated

FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following
information obtained [redacted]

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The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted] Florida, or his authorized representative.

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15

On 9/6/66 at Miami Beach, Florida File # Miami 165-592

by SA [redacted] sl [redacted] Date dictated 9/6/66

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FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following
information obtained [redacted]

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The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]
[redacted]
[redacted] Florida, or his authorized
representative.

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On 9/6/66 at Hialeah, Florida File # Miami 165-592

by SA [redacted] sl [redacted] Date dictated 9/6/66

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FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following information
obtained [redacted]

[redacted]

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The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted]
[redacted] Florida, or his authorized
representative.

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17

On 9/6/66 at Miami Beach, Florida File # Miami 165-592
by SA [redacted] sl [redacted] Date dictated 9/6/66

FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following information
obtained [redacted]

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[Large redacted box]

The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted] Florida, or his authorized representative.

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On 9/6/66 at Miami Beach, Florida File # Miami 165-592

by SA [redacted] sl. ^{b6}_{b7C} Date dictated 9/6/66

FEDERAL BUREAU OF INVESTIGATION

Date 9/7/661

The records of [redacted]
[redacted] were reviewed and the following information
obtained [redacted]

[redacted]

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The above records are confidential and can only
be obtained through the issuance of a subpoena duces tecum.
This subpoena should be directed to [redacted]

[redacted]
[redacted] Florida, or his authorized representative.

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19

On 9/6/66 at Miami Beach, Florida File # Miami 165-592

by SA [redacted] sl [redacted] Date dictated 9/6/66

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MM 165-592

At the time of the search of HANNA's apartment in Miami January 8, 1966, a sheet of paper containing telephone numbers, etc., was found. At the bottom of this sheet was the initial "T" with two telephone numbers, 221-9043 and 221-9052. It was determined by Special Agent [redacted] that these telephone numbers are public pay station telephone booths in the front of the Broward Drug Store, 8651 Coral Way, Miami.

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On August 22, 1966, [redacted] of the Broward Drug Store, 8651 Coral Way, and who resides at [redacted] was interviewed by Special Agent [redacted] denied knowing KENNETH HANNA and after viewing a photograph of HANNA, claimed he did not recall seeing HANNA in that drug store.

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[redacted] stated that he has no knowledge of anyone using the above described two telephone booths for gambling purposes and could not identify anyone who might have used those booths on a frequent basis.

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Departmental Attorney WALLACE JOHNSON advised Special Agent [redacted] on September 6, 1966 that the pre-trial conference in this case was still scheduled to be held before Judge WILLIAM O. MEHRTENS in United States District Court, Miami, on September 12, 1966.

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The following FBI Laboratory report is set forth with regard to the items seized from HANNA at the time of his arrest January 8, 1966 and with regard to the items seized in the search of his apartment on the same date:

Specimens received July 18, 1966:

- Q6 One brown notebook taken from HANNA's person (Item A)
- Q7 Three sheets of plain white paper (Item B)
- Q8 Yellow ruled sheet of paper with numbered notations (Item C)

MM 165-592

- Q9 Three sheets of ruled white paper containing telephone numbers, nicknames, etc. (Item D)
- Q10 One brown notebook (Item E)
- Q11 Nine canceled checks (Item F)
- Q12 Plastic envelope with brown spiral notebook, small ring notebook and identification folder (Item G)
- Q13 Bates List Finder or telephone desk index (Item H)

Result of examination:

An examination of Q6 through Q13 disclosed gambling action on a limited scale on Q8 and Q9.

Item Q8 shows the placement of a wager on the Baltimore Colts and Q9 shows the placement of a number of wagers on the Dallas Cowboys.

The paper comprising Q7 is a water-soluble variety. Paper of this type is sometimes used by professional gamblers.

Nothing else of particular significance was found which could be associated definitely with professional gambling.

On August 25, 1966, the FBI Laboratory reported that its examination revealed that the bulk of the handwriting, hand printing and numerals on Q6, Q9, Q10, and Q13, set forth above, were prepared by one person.

With regard to the red address book taken from KENNETH HERBERT HANNA at the time of his arrest in Atlanta on May 16, 1966, the following results of the Laboratory examination are set forth:

MM 165-592

Specimens received August 24, 1966:

Q18 Red address book Number 1-321-----49,
containing handwritten and hand printed names and addresses

Result of examination:

It was determined the handwriting, hand printing and numerals in the address book designated as Q6, the white ruled paper designated as Q9, the address book designated as Q10 and the desk index designated as Q13 were prepared by the person who prepared the handwriting, hand printing and numerals in the address book designated as Q18.

On August 9, 1966, the Jackson Field Office advised the following investigation was conducted by Investigative Clerk

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JN 165-48
MM 162-341; MM 165-592
RLG/bdb
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The records of [redacted]
[redacted] Mississippi, on June 1, 1966,
reflect [redacted]

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[redacted]

[redacted]

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JN 165-48
MM 162-341; MM 165-592

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The above information can only be made public upon
issuance of a subpoena duces tecum directed to [REDACTED]

[REDACTED]
[REDACTED] Mississippi.

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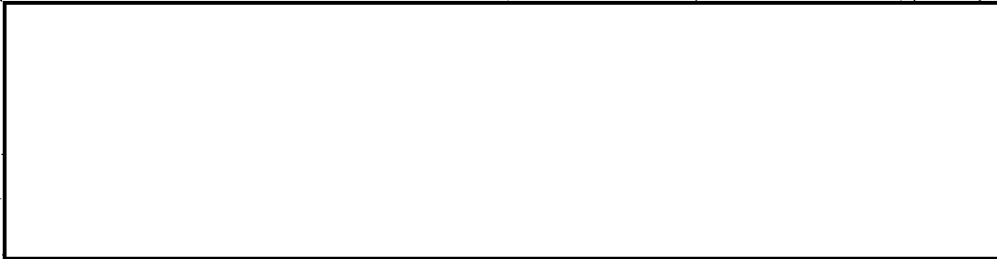
MM 165-592

· II. INVESTIGATION REGARDING NATHAN MODELL

1.

ENH:egb
NY 165-1344
MM 165-592

On May 26, 1966, SA AUGUST J. MICEK caused the records of the New York City Police Department (NYCPD) to be checked for the following with negative results:



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The records of the NYCPD reflected the following:

[redacted]
[redacted] now residing at [redacted]
[redacted] was arrested on February 20, 1953, for [redacted]
[redacted] has NYCPD [redacted] and was described
as a white male, 26 in 1953, five feet eight inches, 140
pounds, brown eyes and hair.

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FEDERAL BUREAU OF INVESTIGATION

Date 6/30/66

1.

The records of [redacted]
revealed [redacted]
[redacted] set out below:

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[redacted]

[redacted]

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The above information is not to be made public
except in the usual proceeding following the issuance of
a subpoena duces tecum, which should be directed to [redacted]

[redacted] New York 10004.

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On 6/23/66 at New YorkMiami 165-592
File # NY 165-1344

by SA [redacted]

smv

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b7CDate dictated 6/24/66

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FEDERAL BUREAU OF INVESTIGATION

Date 8/2/66

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The records of [redacted]
revealed [redacted]

[redacted] set out below:

[redacted]

[redacted]

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[redacted]

[redacted]

The above information is not to be made public except
in the usual proceeding following the issuance of a subpoena
duces tecum, which should be directed to [redacted]

[redacted] New York, #10004.

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Miami 165-592

On 7/28/66at New York, New YorkFile # NY 165-1344

by SA [redacted]

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b6
b7CDate dictated 7/28/66

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FEDERAL BUREAU OF INVESTIGATION

Date 8/9/66

1.
The records of [redacted]
revealed [redacted]

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Set out below:

[redacted]

[redacted]

[redacted]

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The above information is not to be made public
except in the usual proceeding following the issuance of
a subpoena duces tecum which should be directed to [redacted]
[redacted]

New York 10004.

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On 8/8/66 at New York, New York File # Miami 165-592
NY 165-1344
by SA [redacted] bob b6 b7C Date dictated 8/8/66

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FEDERAL BUREAU OF INVESTIGATION

Date 8/18/66

[redacted] was interviewed at his employment, [redacted] New York City. He was advised he did not have to say anything, anything he did say could be used in a court of law, and he could consult with an attorney before saying anything.

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[redacted] advised he first met NATHAN MODELL approximately October of 1965. [redacted] MODELL [redacted] MODELL he read in the paper that MODELL had been arrested. He stated that after the arrest he made no attempt to contact MODELL and MODELL made no attempt to contact him.

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[redacted] advised [redacted] MODELL [redacted] with MODELL for [redacted] He advised he [redacted] MODELL on the [redacted] corner by his office, [redacted]

[redacted] advised he is employed as [redacted] which specializes in the [redacted] He advised his office is located at [redacted] New York City, telephone number [redacted] He advised the office was formerly located at [redacted] New York City, telephone number [redacted]

b6
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[redacted] advised he did not know of any association of MODELL with bookmakers at Miami. [redacted] said he did not know [redacted] or KENNETH HERBERT HANNA.

b6
b7C

[redacted] advised he has never been arrested.

b6
b7C

The following description of [redacted] was obtained through observation and interview:

b6
b7C

30

On 8/15/66 at New York, New York File # Miami 165-592
NY 165-1344

by SA [redacted] lfe Date dictated 8/16/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2.

MM 165-592
NY 165-1344

Name
Race
Sex
Date of Birth
Place of Birth
Residence

[REDACTED]
White
Male

[REDACTED]
New York City NY

Telephone
Employment

[REDACTED]
New York City

Telephone
Height
Weight
Hair
Eyes

[REDACTED]
5 feet, 8 inches
210 pounds
Gray
Brown

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date 8/22/66

SOL EDWARD ABELESS was interviewed at his office, 350 7th Avenue, New York City. He was advised he did not have to say anything, anything he did say could be used in a court of law, and he could consult with an attorney before saying anything.

ABELESS advised he first met NATHAN MODELL approximately 30 years ago when MODELL was making book. ABELESS advised he had made bets with MODELL at that time. MODELL then moved to Miami, Florida. ABELESS advised MODELL returned to New York City about two years ago and has since been making book again. ABELESS stated he would usually place approximately two bets a week with MODELL for \$25 or less. ABELESS advised he would bet only on football or baseball, never on the horses.

ABELESS advised he would call MODELL at 914 MO 8-1119 or CI 6-1300, Room 507, to make a bet. ABELESS states he would use the code "Green for 22" to identify himself to MODELL.

ABELESS advised he made bets with MODELL until MODELL was arrested. He stated after MODELL was arrested MODELL came to ABELESS and borrowed \$40, since MODELL said he had no money. ABELESS said he has not seen MODELL since.

ABELESS advised MODELL never mentioned any connection he had with Miami gamblers.

ABELESS stated he did not know [REDACTED] or KENNETH HERBERT HANNA.

The following description of ABELESS was obtained through observation and interview:

Name:	SOL EDWARD ABELESS
Race:	White

32

On 8/15/66 at New York, New York File # MM 165-592
NY 165-1344

by SA [REDACTED] /emr Date dictated 8/16/66

2
MM 165-592
NY 165-1344

~~SO / EDWARD ABELESS~~

Sex:	Male
Date of birth:	August 11, 1903
Residence:	121 East 31st Street, New York City, NY
Employment:	350 7th Avenue, New York City
Height:	6 feet
Weight:	215 pounds
Hair:	Brown
Eyes:	Brown

ABELESS advised he has never been arrested.

FEDERAL BUREAU OF INVESTIGATION

8/29/66

Date

b6
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[redacted] was interviewed at her residence, [redacted]
[redacted], New York City. She advised, she has lived at the
above residence for eight years and to the best of her
knowledge, her phone number has always been [redacted]

[redacted] advised she does not know KEN HANNA or
NAT MODELL and has no friends in Miami, Florida.

b6
b7C

She could not explain why her telephone number
would be in HANNA's possession.

34

On 8/19/66 at New York, New York File # Miami 165-592
165-1344
by SA [redacted] nsc b6
b7C Date dictated 8/25/66

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

8/29/66

Date

[redacted] was interviewed at her residence, New York City. She advised, she has lived at the above residence for the past twenty years. She stated her phone number is [redacted]

b6
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She advised her husband's name was [redacted] and he died of natural causes in January, 1966. She explained she lived at the above residence alone and there never has been anyone by the name of [redacted] living at this residence while she has resided there.

b6
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[redacted] advised she knows no one in Miami, Florida. She said she does not know KEN HANNA or NAT MODELL.

b6
b7C

35 *

On 8/19/66 at New York, New York File # Miami 165-592
165-1344

by SA [redacted] nsc Date dictated 8/25/66

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

MM 165-592



b2
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b6
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F/A

Departmental Attorney WALLACE JOHNSON advised SA [redacted] on 9/2/66 that J. HOGAN, co-counsel with BEN COHEN, had advised him that [redacted] and others would probably plead guilty in their respective cases. HOGAN told JOHNSON, however, that HANNA does not desire to plead in any case and therefore instant case will probably be coupled with HANNA's indictment in the [redacted] case and HANNA tried in both cases at the same time.

b6
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C*
COVER PAGE

JN 165-48

MM 162-341; MM 165-592

RLG/bdb

1

The following investigation was conducted by IC

b6
b7C

(Protect Identity)

confidentially advised/IC

b6
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b7D

advised

Mississippi.

b6
b7C
b7D

requested this information be treated as strictly confidential inasmuch as it was furnished without benefit of a subpoena duces tecum. In the event any of this toll data is pertinent as evidence to a pending prosecution, immediate steps should be taken to notify the Jackson Office in order that arrangements can be made with

b6
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for the preservation of this data pending issuance of a subpoena since all records are destroyed after six months.

advised

b6
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TELETYPE UNIT

SEP 14 1966

ENCODED MESSAGE

Mr. Tolson.....
Mr. DeLoach.....
Mr. Mohr.....
Mr. Wick.....
Mr. Casper.....
Mr. Callahan.....
Mr. Conrad.....
Mr. Felt.....
Mr. Gale.....
Mr. Rosen.....
Mr. Sullivan.....
Mr. Tavel.....
Mr. Trotter.....
Tele. Room.....
Miss Holmes.....
Miss Gandy.....

NR -----3----- 2:34PM EST GPS

URGENT 9-14-66

TO DIRECTOR (165-1990) AND NEW YORK (165-1344)

NEW YORK VIA WASHINGTON-----

FROM MIAMI (165-592)

b6
b7C

KENNETH HERBERT HANNA, AKA; NATHAN MODELL, AKA; ITAR; ITWI; FBW.

MOTIONS ARGUED BEFORE JUDGE MEHRTENS, USDC, MIAMI, TWELVE
LAST. MEHRTENS INSTANT DENIED ALL MOTIONS EXCEPT RETURN OF CASH
TO DEFENDENTS.

PURSUANT COURT ORDER, MIAMI RETURNED INSTANT CASH SEIZED
FROM HANNA JANUARY EIGHT LAST.

NEW YORK REQUESTED FORWARD IMMEDIATELY ONE THOUSAND SIX
HUNDRED TWO DOLLARS AND TEN CENTS SEIZED FROM MODELL JANUARY
EIGHT LAST IN NEW YORK CITY IN ORDER THAT MONEY CAN BE RETURNED
MODELL NOW IN MIAMI. DEPARTMENTAL ATTORNEYS, MIAMI,

CONFIDENTIALLY ADVISED

BUREAU AND NEW YORK WILL BE IMMEDIATELY ADVISED OF DEVELOP-
MENTS THIS REGARD.

END

REY 84 SEP 26 1966

FBI WASH DC

RELAYED TO NY

CC-MR. ROSEN

F B I

Date: 9/20/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: Director, FBI (165-1990)

FROM: SAC, Miami (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW

Rerep SA [redacted] dated 9/13/66, Miami.

Attached hereto are amended pages C and 23 of referenced report which should be substituted for those previously furnished to the Bureau and offices receiving copies of this report. The copy furnished to the Departmental Attorney, Miami, has been corrected.

A form error has been scored in the Miami Division in connection with the same.

3 - Bureau (Enc. 5) ENCLOSURE
1 - Atlanta (165-264) (Enc. 4)
1 - Newark (165-663) (Enc. 4)
1 - New York (165-1344) (Enc. 4)
1 - Miami
HWS:amc
(7)

*det and filed in ser. 53.
9/27/66
gmh*

56 SEP 29 1966

Approved: F. J. [signature]
Special Agent in Charge

Sent _____ M Per _____

NOT RECORDED
SEP 23 1966b6
b7C

THREE

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ATLANTA	OFFICE OF ORIGIN MIAMI	DATE 9/26/66	INVESTIGATIVE PERIOD 5/11 - 9/15/66
TITLE OF CASE KENNETH HERBERT HANNA, aka.; ET AL		REPORT MADE BY SA 	TYPED BY bjh
		CHARACTER OF CASE ITAR; ITWI; FBW	

REFERENCES: Report of SA 7/27/66, at Miami.
Bureau letter to Atlanta, 8/15/66.

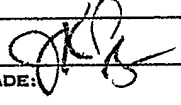
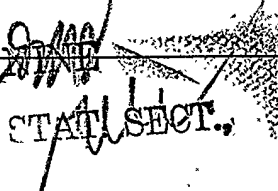
b6
b7C

- P -

LEADS:ATLANTAAT ATLANTA, GEORGIA

Will report further charges to subject's home telephone, Atlanta 261-7921; to the Paperback Book Mart, Atlanta, 872-4046; to the pay telephones to which HANNA has access and which are located near the Paperback Book Mart, Inc., 975 Peachtree Street, N. E., and to Atlanta telephone 523-9930 located in the Atlanta stadium and which telephone may have been used by HANNA.

- A -
COVER PAGE

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 3- Bureau (165-1990) 5- Miami (1 - USA, Miami) (2 - 165-592) (1 - 162-341) (1 - 92-353) 3- Atlanta (2 - 165-265) (1 - 165-269)		165-1990-55	REC- 24
		2 SEP 27 1966	EX-113
Dissemination Record of Attached Report		Notations 	
Agency	CC, AAG Criminal Division, Organized Crime, Racketeering Section		
Request Recd.	Room 1624		
Date Fwd.			
How Fwd.			
By	53 OCT 3 1966 9/29/66		

AT 165-265

INFORMANTS:

[redacted] (PROTECT IDENTITY) [redacted]
[redacted] furnished [redacted] data set forth in details.

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On [redacted] advised he has no information that HANNA is engaged in local bookmaking activities and he noted that he is not personally acquainted with HANNA, and has actually never seen HANNA. His information concerning HANNA [redacted] who is the [redacted] from which [redacted] HANNA [redacted]

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Informant additionally advised that during his [redacted]

No further information was available concerning this. With regard to possible bookmaking activities, informant suggested that in the event HANNA is a large layoff bookmaker it might well be that his presence in Atlanta would be known only to a few professional bookmakers since bettors would not deal directly with this layoff bookmaker. Informant also suggested that in the event HANNA is connected with some large national layoff bookmaking operation it might well be that he had been placed in this area to handle all of the layoff action within the State of Georgia, thus avoiding numerous interstate communications on a daily basis to facilitate this activity. Informant concluded by saying that [redacted]

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[redacted] he does not associate KENNETH HANNA with [redacted]

Informant additionally advised that [redacted] is unknown to him.

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On [redacted] reported that when KENNETH HERBERT HANNA was negotiating for the opening of the Paperback Book Mart at 975 Peachtree Street, N. E., there was an individual named [redacted] in town at that time. According to informant, [redacted] formerly

b2
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AT 165-265

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[redacted] and he is known to have [redacted]
[redacted]
[redacted] Informant was quite certain that [redacted] had
been in Atlanta, noting that [redacted]
[redacted]

On [redacted] advised that he had
[redacted] KEN HANNA wherein HANNA indicated he
is inactive at the present time. HANNA mentioned previous
involvements with [redacted] (FNU)
SOKOLOFF (phonetic) from Philadelphia and that they all
were involved in large sports betting activities. HANNA
additionally complained that the FBI had put a great deal
of local heat on him since he arrived in Atlanta.

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Informant was convinced [redacted]
HANNA that HANNA was not directly involved with [redacted]
but believes that HANNA has bet with [redacted] but he was
unable to determine whether the bets were made for himself
or for the [redacted] operation.

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ADMINISTRATIVE:

It is being left to the discretion of the office
of origin to set forth leads based on review of long-distance
calls as set forth in details of this report.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - U. S. ATTORNEY, MIAMI, FLORIDA

Report of:
Date:SA [REDACTED]
SEPTEMBER 26, 1966b6
b7C

Office: ATLANTA

Field Office File #:

165-265

Bureau File #:

Title:

KENNETH HERBERT HANNA, aka.;
ET AL

Character:

INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis:

[REDACTED] subject HANNA's residence and the Speedwash Laundromat located adjacent to the Paperback Book Mart, Inc., set forth. Subject HANNA observed at Atlanta Braves baseball game 6/29/66 with [REDACTED] Information set forth obtained from application executed by HANNA when applying for apartment in Atlanta. Record of sales of the Paperback Book Mart, Inc., according to [REDACTED] [REDACTED] State of Georgia, set forth.

- P -

DETAILS:b6
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FEDERAL BUREAU OF INVESTIGATION

Date August 29, 1966

1

The records of [REDACTED]

[REDACTED] Georgia, reflect the following [REDACTED]
[REDACTED]b6
b7C
b7Db6
b7C
b7D

2

On 8/24/66 at Atlanta, Georgia File # AT- 165 - 265 1111
by SA [REDACTED] : hld [REDACTED] Date dictated 8/26/66

AT- 165 - 265

AT 165-269

JPG:hld

2

The above information is confidential and can be produced only upon the issuance of a subpoena duces tecum. In the event such is necessary, this should be addressed to [REDACTED]

[REDACTED]
Georgia.

b6
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FEDERAL BUREAU OF INVESTIGATION

1Date August 29, 1966

Records of [REDACTED]

[REDACTED] Georgia, reflect that [REDACTED]

b7D

b6
b7C
b7D

The above information is confidential and can be produced only upon the issuance of a subpoena duces tecum. In the event such is necessary this should be addressed to

[REDACTED] Georgia.

b6
b7C
b7D

On 8/24/66 at Atlanta, Georgia File # AT- 165 - 265
by SA [REDACTED] : hld Date dictated 8/26/66

FEDERAL BUREAU OF INVESTIGATION

Date July 5, 19661

On June 29, 1966, KENNETH HERBERT HANNA and [] were observed at the Atlanta Stadium, Atlanta, Georgia, during a baseball game between the Atlanta Braves and the Chicago Cubs. They occupied seats 101 and 102, Row 3, Aisle 215. The game started at 12:30 p.m. At 12:50 p.m. HANNA and [] walked to Aisle 229 where [] stood in the Aisle facing the playing field and HANNA was in the Aisle on the exit side. About eight minutes later they returned to above seats where they remained except for use of restroom and obtaining refreshments, until the eight inning when they left the stadium in a green Chevrolet, about a 1966 model, bearing a license with blue background and white lettering.

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When HANNA and [] went to Aisle 229 the game was in the last half of the second inning with the Chicago Cubs leading one to nothing over the Atlanta Braves. The area around Aisle 229 was not occupied nor were any other persons observed. It was subsequently determined that a public telephone is located in the tunnel of Aisle 229 where HANNA had remained out of sight for several minutes. This telephone bore number 404-523-9930. HANNA and [] were not observed making contact with any persons at the Atlanta Stadium.

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5

On 6/29/66 at Atlanta, Georgia File # Atlanta 165-265
by SA JOHN J. LANGSFELD and [] /jec Date dictated 7/1/66
SA []

FEDERAL BUREAU OF INVESTIGATION

Date July 5, 19661

[redacted] Ticket Manager, Atlanta Braves Baseball Club, advised that seats 101 and 102, row three, Section 215, Atlanta Stadium, were not sold for the game between the Atlanta Braves and Chicago Cubs on June 29, 1966. He physically produced these tickets in order to verify that they were not sold. Further no other seats were sold in the immediate area of above described seats.

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6

On 6/29/66 at Atlanta, Georgia File # Atlanta 165-265
by SA JOHN J. LANGSFELD /jec Date dictated 7/1/66

AT 165-265

AT ATLANTA, GEORGIA

On August 23, 1966, [redacted]

b6
b7C

[redacted] Georgia, (up until July 1, 1966), advised that he is presently employed [redacted] Lenox Forest Apartments, 3200 Lenox Road, N. E., Atlanta, Georgia.

[redacted] furnished the following information:

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KENNETH HANNA still occupies Apartment F-204 at 3200 Lenox Road, N. E., (Lenox Forest Apartments).

HANNA has a storage bin in Building E of that apartment complex which bin is located adjacent to E-104. HANNA told him that he, HANNA, had some boxes which required storage. [redacted] does not know what the boxes contain.

b6
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When HANNA last paid his monthly rent, he paid in cash the monthly rental. The monthly rental amounts to \$210. HANNA executed an application which application is dated March 23, 1966, and reflects that KENNETH H. HANNA resided at 1213 Hibiscus Avenue, Ft. Pierce and had been living at that address for 15 years. He listed his employment as being self-employed at the Paperback Book Mart, Inc., and a reference was cited as being the C and S Bank, 12th Street Branch.

Business references were listed as [redacted]

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Social acquaintances were listed as [redacted]

b6
b7C

[redacted] His nearest relative was listed as being MRS. KAY HANNA, mother, 1213 Hibiscus Avenue, Ft. Pierce, Florida.

The Retail Credit Company, W. Palm Beach, Florida, Office, according to [redacted], furnished a credit report concerning subject and described him as being a professional gambler. [redacted] was listed as HANNA's [redacted]

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AT 165-265

On August 23, 1966, [REDACTED]

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[REDACTED] Lenox Forest Apartment Complex, advised that HANNA's wife is working as a nurse possibly out of the nurse's registry which is located in the Henry Grady Hotel, telephone JACKSON 3-7376.

[REDACTED] sees Mrs. HANNA occasionally in a nurse's uniform.

[REDACTED] stated she has no information as to the associates or activities of HANNA.

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She recalled that when HANNA paid his current month's rent he gave her \$210 in one dollar bills informing her that this money was obtained from a book store operation.

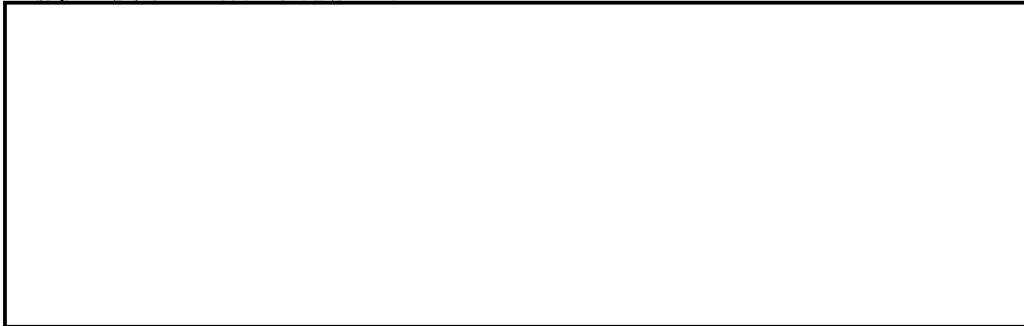
b6
b7C
b7D

KENNETH HANNA listed his Social Security Number as 076-14-5329 and his address as being Apartment 707 Landmark Towers. [REDACTED] listed her Social Security Number as being [REDACTED] and her address was shown as being the same as KENNETH HANNA. [REDACTED] Social Security Number was shown as being [REDACTED] and his address was listed as [REDACTED]

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b6
b7C
b7D

AT 165-265



b7D

On September 1, 1966, it was observed that the six telephones located in the Liggett-Lane Rexall Drugstore, 996 Peachtree Street, N. E., Atlanta; bore the following numbers:

876-9615
876-9754
876-9207
876-9141
876-9168
876-9221

It was observed that the pay phones located outside the 10th Street Washeteria and Cleaners located 10th Street between Peachtree and Juniper Streets bore numbers 876-9884 and 876-9969. It was observed that the pay phone in the Spanish food store known as the "Reconcito Latino" located on the south side of 10th Street between Peachtree and Juniper Streets had number 872-9319 and that the pay phone at the pizza house located in the same block and on the same side of the street had number 872-9170.

An outside pay phone located at the southwest corner of Peachtree and 10th Streets bore number 876-9761.

F B I

Date: 10-3-66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (165-1990)
 FROM: SAC, MIAMI (165-592) (P)
 SUBJECT: KENNETH HERBERT HANNA, aka;
 NATHAN MODELL
 ITWI; ITAR; FBW
 (OO: Miami)

On 10-3-66, subjects appeared in U. S. District Court, Southern District of Florida, Miami, before USDJ, WILLIAM O. MEHRTENS for trial. The subjects waived their right to a jury trial. HANNA agreed to the truth of the allegation in Count 1, Title 18, USC, Section 1343; both subjects also agreed to the truth of the allegations in Counts 4 and 5, Title 18, USC, Sections 1084 and 1952 respectively. Judge MEHRTENS adjudged both subjects guilty and requested a pre-sentence investigation.

Departmental Attorney, WALLACE JOHNSON, advised that the Government is dismissing Counts 2 and 3.

JOHNSON further advised that the case involving HANNA as a subject with [redacted] concerning usage of telephone credit cards was being dismissed by him.

HANNA and MODELL were represented by Miami attorneys BEN COHEN and JAMES J. HOGAN.

3-Bureau
 2-Atlanta
 (1-165-265) (info)
 (1-165-269) (info)
 1-New York (165-1344) (info)
 21-Miami
 EJS/al (1-165-592)
 (8) (1-165-594) [redacted]

REC-41

EX-108

12 OCT 5 1966

Approved: [signature]

53 OCT 13 1966 Special Agent in Charge

Sent [signature]

er [signature]

b6
b7Cb6
b7C

TELETYPE UNIT

DEC 2 1966

ENCODED MESSAGE

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

NR ----3----

3-03 DEFERRED 12/2/66 RML

TO DIRECTOR (165-1990) AND NEW YORK (165-1344)

NEW YORK VIA WASHINGTON---- (ENCODED)

FROM MIAMI

Interstate Transportation in Aid of Racketeering
also known as KENNETH HERBERT HANNA, AKA, ETAL. ITAR; ITWI; FBW. *- FRAUD BY WIRE*

Interstate Transmission of Wagering Information

HANNA APPEARED BEFORE WILLIAM O. MEHRTENS, *UNITED STATES DISTRICT JUDGE*
SOUTHERN DISTRICT FLORIDA
MIAMI, INSTANT AND SENTENCED AS FOLLOWS: COUNT ONE - (FBW) *FRAUD BY WIRE*

SENTENCE SUSPENDED, FIVE YEARS PROBATION; COUNT FOUR -

Interstate Transmission of Wagering Information
(ITWI) SENTENCE SUSPENDED, FIVE YEARS PROBATION; COUNT FIVE -
Interstate Transportation in Aid of Racketeering *ATTORNEY GENERAL*
(ITAR) SENTENCED FIVE YEARS CUSTODY AG, SIX MONTHS OF WHICH

IN PRISON, FOUR AND A HALF YEARS SUSPENDED, FIVE YEARS
PROBATION AND TEN THOUSAND DOLLARS FINE.

COUNTS TWO AND THREE TO BE DISMISSED BY GOVERNMENT.

RE NATHAN MODELL - COUNT FOUR - TWO YEARS CUSTODY AG,
SIX MONTHS OF WHICH IN PRISON, ONE AND A HALF YEARS SUSPENDED
AND FIVE YEARS PROBATION. COUNT FIVE - SAME AS COUNT FOUR,

BOTH SENTENCES TO RUN CONCURRENTLY. DEFENSE COUNSEL INDICATED

APPEALS TO HIGHER COURT WOULD BE MADE.

ENDE CR

MR. DELOACH FOR THE DIRECTOR

HL R RELAY
DEC 5 1966
FBI WASH DC
CC: MR. GALE *Mr. Rosen*

RELAYED TO *NY*

b6
b7C

December 2, 1966

SPECIAL INVESTIGATIVE DIVISION

Kenneth Herbert Hanna, reportedly one of the largest bookmakers in the U.S., ran his bookmaking operation from Miami, Florida. Evidence and records subpoenaed from [redacted]

[redacted]

Hanna and Modell arrested 1/8/66; on 10/3/66 both found guilty to violation of antigambling statutes. Hanna also found guilty to Fraud By Wire Statute. Both sentenced 12/2/66.

b7D

Don
D

JH/mar

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MIAMI	OFFICE OF ORIGIN MIAMI	DATE 12/9/66	INVESTIGATIVE PERIOD 9/13-12/2/66
TITLE OF CASE KENNETH HERBERT HANNA, aka; NATHAN MODELL, aka		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 20px;"></div> b6 b7C	TYPED BY ggr
		CHARACTER OF CASE ITAR; ITWI; FBW	
REFERENCE: Report of SA <div style="border: 1px solid black; width: 150px; height: 20px;"></div>		9/13/65, Miami. b6 b7C	

- P* -

ENCLOSURES TO BUREAU: (8) - Two disposition sheets, one for each subject; three copies each of two parole reports.

LEADSMIAMIAT MIAMI, FLORIDA

Will follow the appeal in this case and insure the Bureau has copies of briefs filed.

- A* -
- COVER PAGE -

1- 166 Com, record
1- 165 Com record

DISPOSITION SHEET DETACHED
AND HANDLED SEPARATELY

Case has been: Pending over one year ☐ Yes ☒ No; Pending prosecution over six months ☒ Yes ☐ No

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- (3) - Bureau (165-1990) (Encs-8)
 1 - USA, Miami (Attn: Departmental Attorney WALLACE JOHNSON)
 1 - Atlanta (165-264) (Info)
 1 - New York (165-1344) (Info)
 4 - Miami (2 - 165-592)
 (1 - 162-341 - HANNA)
 (1 - 92-353)

165-1990-58

REC- 68

ST-105

DEC 12 1966

ENCLOSURE

Dissemination Record of Attached Report

Notations

Agency	" 2 CC AAG Criminal Division,
Request Rec	Organized Crim. Screening Section
Date Fwd.	Room 25-24 R476
How Fwd	62 JAN 11 1967
By	17-19

66

JAN 11 1967

JAN 11 1967

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONCopy to: 1 - USA, Miami, Florida
(Attention: Departmental Attorney WALLACE JOHNSON)

Report of:

Date:

12/9/66

b6

b7c

Office: MIAMI, FLORIDA

Field Office File No.:

165-592

Bureau File No.:

165-1990

Title:

KENNETH HERBERT HANNA;
NATHAN MODELL

Character:

INTERSTATE TRANSPORTATION IN AID OF RACKETEERING;
INTERSTATE TRANSMISSION OF WAGERING INFORMATION;
FRAUD BY WIRE

Synopsis:

Subjects on 10/3/66, appeared in USDC, SDF, Miami, Fla., before USDJ WILLIAM O. MEHRTENS and waived right to jury trial. HANNA agreed to truth of allegation in indictment, Count 1, Title 18, USC, Section 1343. Both subjects agreed to truth of allegations in Counts 4 and 5, Title 18, USC, Sections 1084 and 1952. Judge MEHRTENS adjudged both guilty, and on 12/2/66, sentenced NATHAN MODELL to 2 years custody AG, 6 months in prison, 1 1/2 years suspended, 5 years probation, on Count 4. Judge MEHRTENS also sentenced MODELL to same sentence on Count 5, both sentences to run concurrently. On 12/2/66, Judge MEHRTENS sentenced HANNA on Counts 1 and 4 to suspended sentence, 5 years probation and on Count 5, 5 years custody AG, 6 months in prison, 4 1/2 years suspended, 5 years probation and \$10,000 fine. Counts 2 and 3 to be dismissed. Defense counsel indicated they would appeal conviction. Two convictions, \$10,000 fine.

- P* -

DETAILS:

On October 3, 1966, KENNETH HERBERT HANNA and NATHAN MODELL appeared in U. S. District Court, Southern District of Florida at Miami, Florida, before U. S. District Judge WILLIAM O. MEHRTENS. HANNA and MODELL were represented by attorneys

MM 165-592

BEN COHEN and JAMES J. HOGAN. The subjects waived their right to a jury trial, and HANNA agreed to the truth of the allegation in the indictment as to Count 1, Title 18, U. S. Code, Section 1343. Both HANNA and MODELL agreed to the truth of the allegations in the indictment as to Counts 4 and 5, Title 18, U. S. Code, Sections 1084 and 1952, respectively. Judge MEHRTENS then adjudged both subjects guilty and requested a pre-sentence investigation.

On December 2, 1966, MODELL and HANNA appeared before Judge WILLIAM O. MEHRTENS in U. S. District Court, Southern District of Florida, Miami, Florida, for sentencing. They were represented by defense counsel JAMES J. HOGAN. Judge MEHRTENS sentenced NATHAN MODELL on Count 4 to two years in custody of the Attorney General, six months to be served in prison; 1½ years suspended sentence and five years probation. Judge MEHRTENS sentenced MODELL on Count 5 to the same sentence as Count 4 with both sentences to run concurrently.

Judge MEHRTENS, with regard to Counts 1 and 4, gave HANNA a suspended sentence and five years probation. He sentenced HANNA on Count 5 to five years in custody of the Attorney General, six months to be served in prison with 4½ years suspended, five years probation and \$10,000 fine. Judge MEHRTENS in giving the above sentences commented that should either of the two defendants be brought back into his court again for gambling charges, he would revoke the suspended sentences and they would have to serve the entire period in jail.

Defense counsel JAMES J. HOGAN indicated that it was his intention to appeal the guilty verdict and that his appeal would be based on the legality of the evidence obtained by the telephone company in monitoring HANNA's telephone.

PAROLE REPORT

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MIAMI	Office of Origin MIAMI	Date 12/9/66
Name of Convict with Aliases: NATHAN MODELL, aka Nat	Report Made By <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	b6 b7C Typed By ggr
	Violation: INTERSTATE TRANSMISSION OF WAGERING INFORMATION; INTERSTATE TRANSPORTA- TION IN AID OF RACKETEERING - GAMBLING	

Outline of Offense:

Violation of Federal Gambling Statutes in that he used interstate telephone facilities to transmit wagering information and to make wagers on sporting contests.

Date and place of indictment;
or information filed: **2/15/66 - Indicted Miami, Florida**

Code and section under which charged: **Title 18, U. S. Code, Sections 1084 and 1952**

Section under which sentenced: **Sections 1084 and 1952**

Date and nature of plea: **3/18/66 - Not guilty**

Date and place of conviction: **10/3/66 - Miami, Florida - Stipulated to truth
of allegation in indictment and found guilty.**

Date and duration of sentence: **12/2/66 - (1084) - 2 years custody of Attorney
General; 6 months in prison;
1½ years suspended, 5 years
probation**

Fines: **None**

Aggravating or Mitigating circumstances: **(1952) - Same - to run concurrently**

There are no known mitigating circumstances.

Approved	Special Agent in Charge	ENCLOSURE
Copies Made: 3 - Bureau (165-1990) Dissemination at SOG 2 - Bureau of Prisons Date Fwd.: By:		Write in Spaces Below
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>		

K-

165-1990-58

PAROLE REPORT

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MIAMI	Office of Origin MIAMI	Date 12/9/66
Name of Convict with Aliases: KENNETH HERBERT HANNA, aka Ken Hanna, "Jap," "Curly"	Report Made By <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Typed By ggr
	Violation: INTERSTATE TRANSMISSION OF WAGERING INFORMATION; INTERSTATE TRANSPORTATION IN AID OF RACKETEERING - GAMBLING; FRAUD BY WIRE	

Outline of Offense: **Violation of Federal Gambling Statutes in that he used interstate telephone facilities to transmit wagering information and to make wagers. Used electronic device to defraud telephone company out of toll charges for long distance telephone calls.**

Date and place of indictment;
or information filed: **2/15/66 - Indicted Miami, Florida**

Code and section under which charged: **Title 18, U. S. Code, Sections 1084, 1952 & 1343**

Section under which sentenced: **Section 1952**

Date and nature of plea: **3/18/66 - Not guilty**

Date and place of conviction: **10/3/66 - Miami, Florida - Stipulated in court to truth of allegations in indictment and found guilty.**

Date and duration of sentence: **12/2/66 - (1343) - Suspended 5 years probation
(1084) - Suspended 5 years probation
(1952) - 5 years custody of Attorney General,
6 months in prison, 4 1/2 years
suspended and 5 years probation**

Fines: **\$10,000**

Aggravating or Mitigating circumstances:

There are no known mitigating circumstances.

ENCLOSURE

Approved	Special Agent in Charge	Do Not Write in Spaces Below		
Copies Made: 3 - Bureau (165-1990) Dissemination at SOG 2 - Bureau of Prisons Date Fwd.: By:				

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

165-1990-58

1 - LAB FILE
1 - [REDACTED] 6131 IB)
1 - LAB FILE 165-1990)
1 - [REDACTED] b6
b7C

SAC, Miami (165-594)

February 1, 1967

DIRECTOR, FBI (165-1999)

[REDACTED] aka; et al.; b6
ITWI; ITAR; CONSPIRACY b7C

Reference is made to your airtel dated January 24, 1967, wherein you stated the trial in captioned matter is scheduled to begin at Miami on March 8, 1967, and that the presence of the FBI Laboratory and Fingerprint Examiners is desired at that time. The Laboratory examinations were made by Special Agent [REDACTED] and the fingerprint examinations by Fingerprint Examiner [REDACTED]. Both are available on March 8, 1967, or shortly thereafter. You should advise the Bureau as soon as possible of the exact date on which their presence is desired in order that their absence from headquarters may be kept to a minimum.

The FBI Laboratory has made numerous examinations in connection with evidence related to [REDACTED]. With a letter dated July 12, 1966, Miami file 165-594, Bureau file 165-1999, the Miami Office submitted numerous pieces of evidence. The results of these examinations were covered in Laboratory report D-511120 DL dated July 22, 1966.

In connection with a related matter, the case entitled [REDACTED] aka; AR; IGA, Miami file 92-353, Bureau file 92-3625, the FBI Laboratory received numerous pieces of evidence. The results of these examinations were set forth in combined Laboratory report D-496804 DL, D-497118 DL, D-497166 DL, D-498204 DL and D-496830 DL. There is also the case entitled Kenneth Herbert Hanna, aka; et al.; ITAR; ITWI; FBW, Miami file 165-592, Bureau file 165-1990, in which numerous pieces of evidence were examined. Copies of all Laboratory reports were designated for the Miami Office.

In view of the great amount of evidence received, you should advise the Bureau exactly what evidence the Government intends to introduce. You should cite Bureau file numbers, Laboratory report numbers and other pertinent data. Also advise whether only gambling (bookmaking) testimony is desired or whether both gambling and handwriting testimony will be expected. Special Agent [REDACTED] is qualified to handle both types.

DUPLICATE YELLOW

In the third paragraph of your airtel dated January 24, 1967, you indicate additional handwriting examinations may be requested. Any additional handwriting samples relative to this matter should be submitted to the FBI Laboratory as soon as possible.

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

61 FEB 14 1967
Bureau file 165-1990
Bufile 165-1990

NOT RECORDED
150 FEB 6 1967

(9)

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 2/2/67

FROM : *FWH* SAC, MIAMI (165-592)(P)

SUBJECT: KENNETH HERBERT HANNA, aka;
NATHAN MODELL, aka
ITAR; ITWI; FBW
(OO: MIAMI)

Re report of SA [redacted] dated 12/9/66,
at Miami.

b6
b7C

MB
As set forth in referenced report, subjects on October 3, 1966, appeared in United States District Court, Southern District of Florida, Miami, Florida, before United States District Judge WILLIAM O. MEHRTENS, and waived the right to a jury trial. Subjects agreed to the truth of the allegations in the indictment and were both judged guilty. Defense Counsel for the subjects indicated they plan to appeal this conviction to the Supreme Court if necessary.

This appeal will be based on the legality of evidence obtained by the telephone company monitoring and tapping telephone conversations on HANNA's telephone. Inasmuch as the subsequent decisions in this case may affect similar cases in other field divisions, the Miami Division is forwarding to the Bureau as information the transcript of proceedings on motion to suppress the evidence in this case as well as the memorandum of opinion on these motions by Judge WILLIAM O. MEHRTENS, United States District Judge, Southern District of Florida.

When appeal briefs are filed, copies of these briefs will also be obtained and forwarded for the information of the Bureau.

2 - Bureau (Enc. 2)

1 - Miami

WFH/mgm

(3)

ENCLOSURE
62 FEB 23 1967

REC-58
165-1990-59

FEB 2 1967



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 3/15/67

FROM :

SAC, MIAMI (165-592) (C)

SUBJECT:

KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FRAUD BY WIRE

[redacted] Southern Bell Telephone and Telegraph Company, advised that the telephone company has reviewed the automatic message accounting printouts for HANNA's telephones during the period that HANNA utilized a "blue box" and on each of the calls has determined the charges to a location in the Area Code which is the closest location in that Area Code in Miami. [redacted] explained that since they do not know in each case where the telephone call actually terminated, they are using the above procedure to compute the telephone bill. [redacted] advised that the telephone company is consequently sending HANNA a telephone bill in the amount of \$1,392.77. This bill is being sent to HANNA at his Atlanta address.

b6
b7C

The above is for the information of the Bureau and Atlanta.

[redacted] advised that in the event the telephone company is successful in collecting this bill he will advise the Miami Office of the FBI.

b6
b7C

REC 10

EX-103

165-1990-60

MAR 20 1967

2 - Bureau

2 - Atlanta (165-264)

(1 - 162-268)

(1 - 162-341)

WFH/vas

(6)

62 MAR 22 1967



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: March 21, 1967

FROM : SAC, MIAMI (165-265) (P*)

SUBJECT: KENNETH HERBERT HANNA, aka.;
NATHAN MODELL, aka.
ITAR;
ITWI;
FBW

OO: MIAMI

Re Miami letter, 2/2/67.

Departmental Attorney WALLACE JOHNSON advised that counsel for subjects have not yet filed appeal briefs in this case.

This case is consequently being placed in a pending inactive status, and these briefs will be obtained when filed, and forwarded for the information of the Bureau.

2 - Bureau
1 - Atlanta (info)
2 - Miami
(1 - 165-592)
WFH/neb
(5)

REC 32

EX-113

11 MAR 24 1967



5010-108-01

MAR 31 1967

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

FROM : *[Signature]* SAC, MIAMI (165-592) (C)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FRAUD BY WIRE

DATE: 4/6/67

Re Miami letter to Bureau, dated 3/15/67.

[Redacted] Southern Bell Telephone and Telegraph Company, Miami, Florida, advised that the telephone company received in response to a bill sent to HANNA a certified check dated March 29, 1967, payable to Southern Bell Telephone and Telegraph Company in the amount of \$1,392.77 which check was drawn on the Citizens and Southern National Bank of Atlanta, Georgia. This check from HANNA was forwarded by JIM HOGAN, Attorney for HANNA, who requested a receipt acknowledging payment in full.

b6
b7C

Inasmuch as the FBI investigation of HANNA's illegal use of a "blue box" resulted in determination of this telephone bill and collection of same, the Miami Office is claiming this amount as a recovery value.

RECOVERY - \$1,392.77.

CO

100

2 - Bureau
3 - Atlanta
 (2 - 165-264)
 (1 - 162-268)
3 - Miami
 (1 - 162-341)
WFH/vas
(8)

EX-108

REC 12

165-1990-62

APR 7 1967

b6
b7C

[Stamp]



APR 24 1967

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

FROM : *[Signature]* SAC, MIAMI (165-592) (P*)

SUBJECT: KENNETH HERBERT HANNA, aka
ET AL
ITAR; ITWI; FRAUD BY WIRE
(OO:MIAMI)

DATE: 5/16/67

On May 9, 1967, Departmental Attorney WALLACE JOHNSON, Miami, advised that the court in Miami has granted an extension to HANNA's counsel until June 21, 1967, for the purpose of filing the Appellant's Brief. The above is for the information of the Bureau and Atlanta. *B*

[Handwritten: 10/1/67]

2 - Bureau
2 - Atlanta (Info)
 (1 - 165-264)
 (1 - 162-268)
2 - Miami
 (1 - 162341)
WFH/vjl
(6)

[Handwritten signature]

EX-103

REC 46 165-1990-63

14 MAY 17 1967

Noted

[Handwritten signature]



5010-108-01

54 MAY 23 1967

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE: 9/6/67

FROM : SAC, Miami

SUBJECT: KENNETH HERBERT HANNA, aka, et al
ITAR, ITWI, FBW
OO: Miami
Bufile 165-1990
AT file 165-264
MM file 165-592 (P*)

KENNETH HERBERT HANNA, aka
IGA
OO: Atlanta
Bufile 162-1476
AT file 162-268
MM file 162-341 (RUC)

Enclosed for the Bureau is one copy of Brief of Appellee, No. 24343, filed in the U. S. Court of Appeals, Fifth Circuit, KENNETH HERBERT HANNA and NATHAN MODELL, Appellants, versus UNITED STATES OF AMERICA, Appellee.

Departmental Attorney WILLIAM G. EARLE, assigned to Miami, advised that the oral arguments in this appeal will be heard on 11/14/67, in the Fifth Circuit, New Orleans.

The Miami Division will follow the status of this appeal and advise the Bureau of developments.

224
4 - Bureau (Enc. 1) ENCLOSURE
2 - Atlanta (Info)
2 - Miami
WFH:jhk
(8)

REC 45

165-1990-64

15 SEP 11 1967

b6
b7c

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SEP 14 1967

UNRECORDED COPY FILED IN 165-1990-64

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 11/2/67

FROM : SAC, MIAMI (165-592) (P*)

SUBJECT: KENNETH HERBERT HANNA, aka
ET AL
ITAR; ITWI, FBW

(OO: MIAMI)

Departmental Attorney WILLIAM G. EARLE, assigned to Miami, advised that the oral arguments in this appeal are still scheduled for November 14, 1967, in the 5th Circuit Court in New Orleans.

Mr. EARLE stated that the appeal in this case is now of increased importance in view of the adverse appeal in a similar case, [REDACTED] by the 9th Circuit Court.

b6
b7C

The Miami Division will follow this matter and keep the Bureau advised.

② - Bureau
1 - Atlanta (165-264) (Info)
1 - Miami
WFH/kmm
(4)

EX-113

REC-32

15 NOV 6 1967



5010-108-01

57 NOV 13 1967

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 3/19/68

FROM : SAC, MIAMI (165-592) (P*)

SUBJECT: KENNETH HERBERT HANNA, aka
ET AL
ITAR; ITWI, FBW

(OO: Miami)

Re Miami letter to Bureau dated 11/2/67.

Enclosed for the Bureau is a Xerox copy of Docket No. 24343 for the U. S. Court of Appeals, Fifth Circuit, dated March 5, 1968, in the case of KENNETH HERBERT HANNA and NATHAN MODELL, Appellants, versus United States of America, Appellee.

As set forth in enclosure, the Fifth Circuit Court reversed the decision of the U. S. District Court, Southern District of Florida, Miami, in instant case.

As the Bureau is aware, this adverse opinion with regard to "Blue Box cases" effects the [redacted] case.

b6
b7C

WILLIAM EARLE, Departmental Attorney in Miami, has advised that he is attempting to influence the Department to petition for a rehearing En Banc with the Fifth Circuit Court in instant case.

The Bureau will be advised of developments.

2 - Bureau (Enc. ENCLOSURE)
1 - Miami
WFH/bab
(3)

REC 6 165-1990-66

b6
b7C

ENCLOSURE ATTACHED

4 MAR 20 1968



5010-108-01

0 MAR 26 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

RE.....

KENNETH HERBERT HANNA, aka
ET AL

ENCLOSURES.....

(1) Xerox copy of Docket No.
24343

TO.....

DIRECTOR, FBI (165-1990)

FROM.....

SAC, MIAMI

MM FILE No.....

165-592 (P*)

Transmitted by MM letter to Bureau,
3/19/68.

IN THE
United States Court of Appeals
FOR THE FIFTH CIRCUIT

No. 24343

KENNETH HERBERT HANNA and NATHAN MODELL,
Appellants,

versus

UNITED STATES OF AMERICA,
Appellee.

*Appeals from the United States District Court for the
Southern District of Florida.*

(March 5, 1968.)

Before RIVES and GODBOLD, Circuit Judges, and
HUGHES, District Judge.

RIVES, Circuit Judge: This appeal is from judgments of conviction on counts one, four and five of a five-count indictment. Count one was directed against the defendant Hanna, and charged him with violating 18 U.S.C. § 1343 (wire fraud). Counts four and five were directed against both defendants, Hanna and

Modell, and charged them with violating 18 U.S.C. § 1084 (wagering by wire) and § 1952 (using the telephone in interstate commerce to promote an unlawful activity). The defendants were convicted as charged in the three counts, and each was sentenced to six months' imprisonment followed by five years' probation. Hanna was also fined ten thousand dollars. The sentences were to run concurrently.

There was no dispute about the facts, and we adopt (with the exception noted in footnotes 1, 2 & 3, p. 5 *infra*) the statement contained in the Government's brief:

"In the twenty-seven day period from November 24, 1965, to December 21, 1965 over 500 telephone calls were placed from defendant Hanna's phone to a distant information operator (e.g. 1-area code-555-1212) (R. 35). This was discovered during an investigation of Hanna's phone conducted solely by the American Telegraph and Telephone (sic) Company and its subsidiary, Southern Bell Telegraph and Telephone (sic) Company. Hanna's phone had become the focus of an investigation by the telephone company after an official of the company in New York detected an unusual condition on Miami phone number 945-9723. He notified Gerard Doyle, Security Manager of Southern Bell Telegraph and Telephone (sic) Company, of this unusual condition and that the condition indicated that

in all likelihood a device known as a 'blue box'¹ was being used on the line. (R. 34, 295).

"1 A 'blue box' is technically known as a multi-frequency signal generator. It enables a caller to by-pass the toll equipment of the telephone company and complete long distance calls without any record of the call being made. Thus, the caller avoids being billed for all calls placed while using a 'blue box'. (R. 35, 295).

"To operate a 'blue box' a person dials any number through his regular telephone which would provide access to the toll network (e.g. 1-area code-555-1212). Once this connection is established he is able to disconnect the number he has called by inducing on the line a 2600 cycle tone from his 'blue box'. Then by pushing buttons on his 'blue box' he is able to send sounds into the toll network corresponding to the sounds assigned to the digits in the called number and reach any number he desires without any reflection on his bill other than the original free call (R. 35, 36, 69).

Doyle investigates toll frauds for the telephone company. Doyle knew from experience that bookmakers use these devices. (R. 40-42, 295). So when he discovered that 945-9723 was subscribed to by Kenneth Hanna, whom Doyle knew to be a local bookmaker (R. 40, 295), he instructed company engineer, Ray Fowler,

to determine if the unusual condition was a 'blue box'. On November 24, 1965 Fowler attached a piece of electronic equipment to Hanna's line capable of sensing a 2600 cycle tone originating at the subscriber's telephone. (R. 42).² It was attached to Hanna's line be-

² Normally the 2600 cycle tone originates from a toll office within the long distance network and is not found on a subscriber's line. (R. 42). If a 2600 cycle tone does appear on the subscriber's line fairly often, it is a highly unusual situation suggesting that a 'blue box' is being used. (R. 44, 81). This is because a 'blue box' emits a 2600 cycle tone and although a 2600 cycle tone is within the upper reaches of the audible range (e.g. a high pitched scream) the frequent appearance of such a tone on the subscriber's line is very unlikely. (R. 64, 83).

fore the line reached the toll network. (R. 66). Each time the detection unit sensed a 2600 cycle tone it activated a 'peg counter meter' which is simply a counting device for totalling the number of times a 2600 cycle tone is perceived by the detection unit. (R. 42, 80, 41).

"That night Fowler called Doyle and indicated that the counter was registering. (R. 43). Doyle then advised him to put a tape recorder on Hanna's line to record the sounds made by the 'blue box'. (R. 43, 80, 82). The

tape recorder was unattended and was set to cut off automatically 35-45 seconds after being activated by the 2600 cycle tone on the subscriber's line. (R. 43, 44).³ Fowler was

³ The placing of a recorder on the line was necessary to determine whether the telephone company was being defrauded. This is because although the appearance of a 2600 cycle tone on subscriber's line is unusual it is nonetheless possible that a high pitched scream could approximate 2600 cycles. (R. 64). Only by having a tape recorder on the line could the company determine the source of any 2600 cycle tone appearing on Hanna's line. (R. 81-83). Because the company's only interest was in toll fraud it was concerned with establishing two items: first, that the 2600 cycle tone on Hanna's line originated from his line by a 'blue box' and, second, a connection was completed. (R. 43, 44). Thus the tape recorder operated only for 35-45 seconds on each call. Naturally, the tape was made to preserve the evidence of fraud.¹

certain that a 'blue box' was being used and notified Doyle. (R. 45, 46, 83, 84). The detection unit, counter and unattended recorder re-

¹ We have some reservations as to the facts and conclusions set forth in the Government's footnote 3, which we discuss in footnote 15. The accuracy or inaccuracy of those facts and conclusions would not, in our opinion, affect the decision of this case.

mained on Hanna's line sporadically for twenty-three of the next twenty-six days until on December 21, 1965, Doyle received a subpoena directing him to produce all the recordings before a Federal Grand Jury in Philadelphia, Pa. (R. 46-49, 296). He appeared the following day and turned the tapes over to the Grand Jury. (R. 57). This is the first time anyone in the Federal Government had knowledge that Hanna's line was being monitored. (R. 50).² Attorneys for the United States Department of Justice handling the Philadelphia Grand Jury turned the tapes over to the Federal Bureau of Investigation. The tapes were in turn given to Special Agent William Heist in Miami who contacted Doyle on December 30, 1965. (R. 61). This is the first time Doyle was ever contacted by an agent of the Federal Government relating to this matter (R. 50, 51, 61, 94) and he never did tell

² The truth vel non of this sentence would not affect our decision. However, for the sake of accuracy, we note that we do not agree with this statement. It is based on the testimony of one telephone company employee to the effect that that was his first contact with any Government agency. Asked if he knew how the Government got the information that he had these tapes in his possession, he testified, "No, sir, I do not. But I will say this: during the course of this case my superiors were constantly being informed of the progress of the case on a weekly basis. But I had no contact with any federal agent or agency." The only reasonable inference to be drawn is that prior to the issuance of the subpoena duces tecum, the existence and some inkling of the contents of the communications were disclosed to the Government by some telephone company employee. The Government virtually admits as much in its supplemental brief, p. 7: " * * * if such disclosure is not permitted it is inconceivable to perceive how the Grand Jury or other lawful authority would learn of the existence of the records which the statute allows them to demand."

anyone outside the Grand Jury what was on the tapes. (R. 57)."³

"Based on the conversations contained in the tapes, Heist and Special Agent Maurice Roussell obtained a search warrant for Hanna's home and an arrest warrant for his person. (R. 91). Heist also determined that defendant Modell was one of the people called by Hanna in New York City. (R. 87, 92, 160). Because the conversations between Hanna and Modell revealed they were engaged in the use of interstate facilities in aid of bookmaking, as they later admitted by stipulation, arrest and search warrants were also issued against defendant Modell and his apartment. On January 8, 1966, agents of the Federal Bureau of Investigation executed the warrants and bookmaking paraphernalia was seized at both places. The 'blue box' was seized at Hanna's residence. (R. 100)."

We adopt also the further statement contained in the brief for appellants:

"* * * * The tape recordings and gambling paraphernalia constituted all the evidence against the defendants in the instant case (R. 294). .

"The defendants filed a pre-trial motion to suppress the tape recordings, bookmaking

³ We accept these statements subject to the qualification in our footnote 1, *supra*.

paraphernalia and the 'blue box' on the ground that they were obtained in violation of 47 U.S.C. § 605, and the Fourth Amendment to the United States Constitution (R. 178-179). The lower court denied the motion and filed a written opinion which is now recorded at 260 Fed.Supp. 430 (S.D. Fla. 1966) (R. 292-293, 294, 306). The lower court adjudged the defendants guilty based on the evidence sought to be suppressed in this case (R. 314-315).

"The defendant Hanna moved to dismiss the first count of the indictment on the ground that it failed to state an offense under 18 U.S.C. § 1343 (R. 227-228). The lower court denied the motion (R. 293)."

In accordance with Fifth Circuit Rule 24—2(b), the appellants filed the following:

"SPECIFICATION OF ERRORS RELIED UPON

"I

"THE LOWER COURT ERRED IN DENYING THE DEFENDANTS' MOTION TO SUPPRESS (a) THE TAPE RECORDING OF THE DEFENDANTS' MONITORED TELEPHONE CONVERSATIONS AND (b) GAMBLING PARAPHERNALIA FOUND IN CONSEQUENCE THEREOF, ON THE GROUND THAT THE EVIDENCE WAS SECURED IN VIOLATION OF 47 U.S.C. § 605.

"II

"THE LOWER COURT ERRED IN DENYING THE DEFENDANT HANNA'S MOTION TO DISMISS COUNT ONE OF THE INDICTMENT ON THE GROUND THAT SAID COUNT OF THE INDICTMENT FAILED TO STATE A CRIME UNDER 18 U.S.C. § 1343."

The second specification may be disposed of summarily. If the first specification is sustained, both judgments of conviction must be reversed entirely. If the first specification is not sustained, the judgments must be affirmed. Since the sentences were to run concurrently, it is not necessary to consider questions raised with respect to any one count.⁴

Thus our consideration is limited to the question of whether the defendants' motion to suppress the tape recordings, bookmaking paraphernalia and the "blue box" should have been sustained because they were obtained in violation of 47 U.S.C. § 605.⁵ That ques-

⁴ Hirabayashi v. United States, 1943, 320 U.S. 81, 85; Mishan v. United States, 5 Cir. 1965, 345 F.2d 790, 791.

⁵ "§ 605. *Unauthorized publication or use of communications*
"No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender

tion may be further limited to: "Was the evidence obtained as a result of violating 47 U.S.C. § 605?"⁶

Four other district courts have held that similar evidence was not obtained in violation of the statute.⁷ Of two very recent cases at the appellate level, one has agreed with the district courts while the other has held the evidence inadmissible.⁸ We agree with most, but not all, of the opinion of the Ninth Circuit in *Bubis*, *supra* note 8, and we think that its decision that the evidence was inadmissible is in accord with

shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress."

⁶ See *Nardone v. United States*, 1937, 302 U.S. 379; on second appeal, 1939, 308 U.S. 338; *Weiss v. United States*, 1939, 308 U.S. 321; *Goldman v. United States*, 1942, 316 U.S. 129; *Benanti v. United States*, 1957, 355 U.S. 96; *Rathbun v. United States*, 1957, 355 U.S. 107.

⁷ See *Beckley v. United States*, N.D. Ga. 1966, 359 F.Supp. 567; *United States v. Benjamin Lassofoff*, No. 28247, E.D. La., 1962; *United States v. Henry Loman, et al.*, No. 36270, S.D. Cal., July 1966; *United States v. Thomas McCay, et al.*, No. 66-76-CR, W.D. Okla., June 1966. Only *Beckley*, *supra*, and the instant case are reported.

⁸ *Brandon v. United States*, 10 Cir. 1967, 382 F.2d 607; *Bubis v. United States*, 9 Cir. 1967, 384 F.2d 643.

the opinions of the Supreme Court cited in footnote 6, *supra*.

The *Bubis* opinion follows the dichotomy of section 605 employed in the first *Nardone* opinion:

"Section 605 of the Federal Communications Act provides that no person who, as an employe, has to do with the sending or receiving of any interstate communication by wire shall divulge or publish it or its substance to anyone other than the addressee or his authorized representative or to authorized fellow employes, save in response to a subpoena issued by a court of competent jurisdiction or on demand of other lawful authority; and 'no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect or meaning of such intercepted communication to any person; . . .'. Section 501 penalizes wilful and knowing violation by fine and imprisonment.

"Taken at face value the phrase 'no person' comprehends federal agents, and the ban on communication to 'any person' bars testimony to the content of an intercepted message. Such an application of the section is supported by comparison of the clause concerning *intercepted messages* with that relating to *those known to employes* of the carrier. The former may not be divulged to any person,

the latter may be divulged in answer to a lawful subpoena." (Emphasis added.) 320 U.S. at 380, 381.⁹

To include telephone security personnel charged with the detection of fraud on the carrier within the class of employees receiving or transmitting communications would require too strained a construction. In a broad sense all telephone employees assist in receiving or transmitting communications, for that is the end result of the telephone company's business. But, as the first *Nardone* appeal indicates (see 302 U.S. 381), this first clause of section 605 has reference to those employees to whom the communications necessarily become *known*. In fact, here the communications were sent and received by means of direct dialing without the use of a telephone central or other employee. There were no employees or persons whose transmitting and receiving duties permitted them to learn the contents of the telephone conversations. The first clause of section 605 therefore has no application to the facts of this case.¹⁰

⁹ Also in *Weiss v. United States*, *supra* note 6, the Court employed a like dichotomy:

"The section consists of four clauses separated by semicolons. The pertinent one is the second: 'and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person;'" 308 U.S. at 327.

¹⁰ If we held otherwise, we would then reach the question permitted by the Supreme Court in *Benanti*, *supra* note 6, 355 U.S. at 100, n. 5, and in *Rathbun*, *supra* note 6, 355 U.S. at 108, n. 3, as to whether both an interception and a divulgence are necessary for a violation of section 605.

Parts of the telephone conversation were "intercepted" and their admissibility must be determined by reference to the second clause of section 605. The second clause is in the most positive and explicit language: "no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person." That clause simply means what it says and says what it means. The first *Nardone* case, *supra* note 6, refers to it as a "plain mandate" (302 U.S. at 383), and holds that "no person" embraces federal agents engaged in the detection of crime. A fortiori that expression embraces the security personnel of a telephone company. ? ?

That is made more certain when we turn from the literal language of section 605 to its purpose and intent as stated in the first *Nardone* appeal:

"It is urged that a construction be given the section which would exclude federal agents since it is improbable Congress intended to hamper and impede the activities of the government in the detection and punishment of crime. The answer is that the question is one of policy. Congress may have thought it less important that some offenders should go unwhipped of justice than that officers should resort to methods deemed inconsistent with ethical standards and destructive of personal liberty. The same considerations may well have moved the Congress to adopt § 605 as

evoked the guaranty against practices and procedures violative of privacy, embodied in the Fourth and Fifth Amendments of the Constitution." 302 U.S. at 383.

Again, the second *Nardone* case referred to the first, as follows:

"That decision was not the product of a merely meticulous reading of technical language. It was the translation into practicality of broad considerations of morality and public well-being. This Court found that the logically relevant proof which Congress had outlawed, it outlawed because 'inconsistent with ethical standards and destructive of personal liberty.' 302 U.S. 379, 383." 308 U.S. at 340.

Adding to the language of the Supreme Court the italicized expressions enclosed in parentheses, we would say the "Congress may have thought it less important that some offenders should go unwhipped of justice (*and that the telephone company lose some long distance tolls*) than that officers (*or telephone company employees*) should resort to methods deemed inconsistent with ethical standards and destructive of personal liberty."

There is some suggestion that, by his illegal use of the telephone company facilities, Hanna impliedly "authorized" the interception of any communication. That position is untenable. It would justify the violation of the secrecy of communication by the re-

sults obtained from the violation. By analogy to the search and seizure cases under the Fourth Amendment that is, of course, impermissible.¹¹ If sound, that suggestion need be but slightly modified to render admissible in evidence all intercepted telephonic communications having to do with the planning or effectuation of crime. In discussing the phrase "authorized by the sender," the Supreme Court has said: "The Act contemplates voluntary consent and not enforced agreement to publication." *Weiss v. United States*, *supra* note 6, 308 U.S. at 330.

The Government's main thesis is thus expressed in brief:

"The crux of this appeal is whether trespassers on the facilities of a communications common carrier and thieves of its services are entitled to the privacy afforded by Title 47, U.S.C. § 605. Common sense dictates that Congress did not intend to protect trespassers and thieves."

That seems to be the basis of the Tenth Circuit's decision in *Brandon*, *supra* note 8, when that Court says:

"That provision was adopted by Congress for the protection of authorized users of telephonic or radio facilities; it was not intended as a refuge for the wrongdoer who uses the telephone in a scheme to violate the wire fraud statute." 382 F.2d at 611.

¹¹ See *Byars v. United States*, 1927, 273 U.S. 28, 29.

We do not agree.

As the Supreme Court pointed out in both *Nardone* appeals, Congress intended to protect "against practices and procedures violative of privacy," and against "methods deemed inconsistent with ethical standards and destructive of personal liberty." (302 U.S. at 383.) If the protection of the law abiding requires the protection of all telephonic users including "trespassers and thieves" and other criminals, the answer is that it is for Congress to declare which is the more important policy.

The Government's attempted analogy between persons attempting to defraud the carrier of its long distance tolls and trespassers on land is patently unsound. The argument need be but slightly changed to treat as "trespassers" all persons using or misusing the telephone to plan or effectuate crime. If not, the argument would result in attaching more importance to a minor fraud than to the most heinous felony. Such a construction would render the statute no longer "a plain mandate."¹² The argument would permit telephone company personnel to conduct pervasive wire tapping invasive of the privacy of the lawless and law-abiding alike, and then to make use of the fruits of their conduct in those cases in which the results showed that one of the parties to the telephone conversation was attempting to commit a fraud

¹² "Moreover, as the second *Nardone* decision asserts, distinctions designed to defeat the plain meaning of the statute will not be countenanced. 308 U.S. 338, 340." *Benanti v. United States*, 1957, 35 U.S. 96, 100.

on the telephone company.¹³ Incidentally, the Government's position takes no account of the user at the other end of the line who may be innocent of that particular type of criminality. In the present case, there is no evidence that Modell knew that Hanna was using a blue box.¹⁴

Basically, the Government's argument in this case is but a watered down version of its argument in *Nardone* and the subsequent cases cited in footnote 6, *supra*. The Supreme Court has consistently rejected the Government's position, and we can do no less.¹⁵

¹³ See footnote 11, *supra*.

¹⁴ It is significant that in *Katz v. United States*, U.S. No. 35, Oct. Term, 1967, decided December 18, 1967 (after this opinion had been drafted and circulated among the Judges), the Government was permitted to introduce evidence of *Katz's end* of the telephone conversations. There was apparently no effort to introduce evidence of the other end, which would correspond here to Modell's end of the conversations.

¹⁵ We have not discussed, but neither have we failed to consider, the plight of the telephone company. We recognize that, as a public utility, it had not only the right but the duty to require payment of the long distance tolls prescribed in its tariffs. If this decision renders the performance of that duty more difficult, our answer is that the policy is for Congress to declare. However, we are not convinced that the telephone company will be seriously impeded. As previously indicated (*ante*, note 1), we do not accept at face value all that the Government says in footnote 3 to its brief. It seems to us that the use of the blue box detection unit with the peg counter meter, but without the tape recorder, would have given the telephone company adequate protection. With information thus lawfully obtained, a routine inspection might have resulted in the discovery and removal of the blue box. The telephone company might also have reported to appropriate governmental authority the probable commission of a crime, following which the Government might have obtained a search warrant for the electronic search, as now authorized by the recent *Katz* decision referred to in footnote 14, or even for the blue box itself. A search warrant is of course not available to the telephone company. See 47 Am.Jur., Searches and Seizures, § 4, p. 504, § 56, pp. 536, 537; 79 C.J.S., Searches and Seizures, § 63, p. 825.

As indicated in footnote 14, *supra*, this opinion had been drafted and circulated among the Judges before the Supreme Court's decision on December 18, 1967 of *Katz v. United States*. That decision goes much further than to reinforce our view that the tape recordings were inadmissible against Modell. It makes clear that they were entirely inadmissible. There the Supreme Court definitely overruled *Olmstead v. United States*, 1928, 277 U.S. 438, which was the occasion for the enactment of the statute now carried forward as 47 U.S.C.A. § 605.¹⁶

Olmstead being overruled, section 605 may not now appear necessary. Certainly the statute cannot authorize a violation of the Fourth Amendment as now declared in *Katz, supra*. Section 605 cannot authorize the telephone company employees to obtain evidence through surveillance which becomes under *Katz* standards an unconstitutional search; nor can the Government by subpoena duces tecum make use of such evidence. *Katz* points out the constitutional procedure as the time-honored method of obtaining a search warrant.¹⁷ Moreover, the fact that a search warrant is not available to the telephone company¹⁸ adds emphasis to the illegality, indeed unconstitutionality, of its surveillance which amounted to a search without a warrant.

¹⁶ See *Nardone v. United States, supra* note 6, 302 U.S. at 382, 383; *Rathbun v. United States, supra* note 6, 355 U.S. at 111, 112 (concurring opinion of Justice Frankfurter).

¹⁷ See particularly footnote 16 to *Katz v. United States, supra*.

¹⁸ See authorities cited at end of footnote 15, *supra*.

The district court erred in denying the Government's motion to suppress the tape recordings of the defendants' monitored telephone conversations and the gambling paraphernalia found in consequence of those tape recordings. The judgment is therefore reversed with directions to render judgment discharging the defendants.

Error

REVERSED WITH DIRECTIONS.

GODBOLD, Circuit Judge, specially concurring:

I concur in the result.

As Judge Rives notes (footnote 2 of his opinion) the only reasonable inference is that prior to the issuance of the subpoena duces tecum the existence and some inkling of the contents of the communications were disclosed to the government by telephone company employees. Under no construction of § 605 is this proper.

The wiretap was installed on Hanna's telephone on November 24, 1965. It remained there to December 21, although the telephone company knew within a day or two of installation that Hanna was using a device to bypass the telephone company's long distance toll equipment. Whatever right the telephone company may have to determine the existence of communications¹ or the content of communications is

¹ Judge Rives' opinion focuses on the content of a communication. Sec. 605 refers also to divulging the existence of a communication, which may be done by mechanical devices that do

limited by standards of reasonableness which were exceeded in this case. *Bubis v. U. S.*, 384 F.2d 643 (9th Cir. 1967).

For these reasons, and these alone, I agree that these cases must be reversed.

HUGHES, District Judge, dissenting.

I respectfully dissent from the majority and would affirm the judgment of the trial court.

I agree with the majority that "our consideration is limited to the question of whether the defendants' motion to suppress the tape recording, book-making paraphernalia and the 'blue box' should have been sustained because they were in violation of 47 U.S.C. sec. 605." In my opinion the evidence was not obtained as a result of violating 47 U.S.C. sec. 605 and the trial court was correct in overruling defendants' motion to suppress.

By enacting the first clause of section 605, Congress recognized the special position of the carrier's employees. This clause does not proscribe the interception of communications by a ". . . person . . . assisting in receiving . . . or assisting in transmitting" Apparently, the majority interprets this phrase to include only employees who in actually placing the call obtain knowledge of the communica-

not record the content. But I assume that such devices would be installed by and read by persons who are not in the status of the old-fashioned "central."

tion. In my view such a restrictive construction is contrary to the intent of Congress.

Section 605 was enacted in 1934, long before it was technically possible for toll-charge telephone calls to be completed without the assistance of some human agency. At that time an operator's "interception" was necessary in order properly to assess toll charges for long distance calls. In recent years the company has developed a means of placing and assessing charges without the aid of an operator. The new system, while affording a greater measure of privacy to the user than the old system, provides less security to the telephone company, since by using a 'blue box' a caller may electronically circumvent the new billing system.

In an effort to combat this practice and thus be assured of compensation for the use of its lines, the telephone company has had to take certain security measures. Since the 'blue box' emits a 2600 cycle tone when in use, the company has developed a means of electronically sensing its emission. The frequent appearance of such a tone on a particular line is a strong indication that a 'blue box' is being used. Before any degree of certainty can be achieved, however, it is necessary to have more substantial evidence. This is obtained by the company's security personnel attaching a tape recorder to the suspected line to verify that a 'blue box' is in fact being used.

I would interpret the first clause of section 605 to include security officers as well as other employees of

the carrier who are engaged in keeping the business of telecommunications functioning properly. The operator is only one of many employees who in the proper exercise of their duties necessarily must "intercept" transmissions. In view of recent inventions, it is irrational to differentiate the legal effect of the operator's function from that of the security personnel. To some extent the security officer has taken over the function of the operator in making certain that toll charges are properly assessed. Consequently, the statute should apply to him in the same way as it formerly did to the operator. Otherwise, the carrier, by using an electronic complex for the purpose of assessing charges, has lost the right of interception which formerly he had.

Since it is my opinion that a security officer, in the light of present day developments, should be included among company employees engaged in the transmission of communications, information obtained by him in the regular course of his duties with the telephone company can be divulged, if done in accordance with the conditions set forth in the first clause of the statute, viz. ". . . in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority" The testimony in this case reveals that the manner of divulgence was in accordance with this provision of the statute, as is set forth in the statement of the facts in the majority opinion. Thus the first clause of section 605 does not prohibit the introduction into evidence of the tape recording.

The second clause of section 605 covers persons other than employees ". . . assisting in transmitting" It provides that ". . . no person not being authorized by the sender shall intercept . . . and divulge . . . the contents . . . of such intercepted communication." In my opinion the transmissions here under scrutiny are not entitled to the protection of this clause of the statute.

The telephone calls between Hanna and Modell were intrinsically illegal transmissions. It is not their content which made them so, but the fact that Hanna and Modell were fraudulently using the lines without paying for their use. The majority assumes that Congress intended to protect against the monitoring and divulgence of fraudulent transmissions as well as legal ones, but I am unable to make that assumption.

No worthwhile purpose is served by protecting the secrecy of such transmissions, and to do so would seriously inhibit their detection. It is difficult to believe that Congress intended that outlaw transmission should have protection. "It is," as stated in *Brandon v. U. S.*, case No. 9395, August 29, 1967, 10th Circuit, "contrary to common sense."

The leading case which sustains the view that, if the use of a communication facility is illegal, the right of privacy does not exist and the matter may be divulged, is *Sugden v. U. S.*, 226 F.2d 281 (9th

Cir. 1955) affirmed per curiam, 351 U.S. 916, 76 S. Ct. 709.

Sugden involved the interception and monitoring of radio transmissions by federal agents. Information obtained in this manner was used as evidence in prosecuting defendants for violation of the immigration laws. Although defendants were not licensed operators and were not thus legally on the air, they sought to interpose section 605 in a motion to suppress the evidence. The trial court granted the motion and dismissed the indictment, but the Ninth Circuit reversed, holding that because the defendants were not legally using the station the statute had no application. The Court declared:

. . . To throw a mantle of protection provided by Section 605 over an outlaw broadcast is to abandon reason Giving the one who broadcasts without authority any protection under Section 605 could not tend to protect the means of communication.

The case of *Brandon v. U. S.*, *supra*, likewise sustains this view. In that case the defendants were accused of conspiring to defraud the Southwestern Bell Telephone Company in the use of long distance telephone service and facilities. The means of detection were similar to that used in the present case. The Court in holding that section 605 did not prohibit the use of information obtained by monitoring said:

(Section 605 . . . was adopted by Congress for the protection of authorized users of telephone or radio facilities; it was not intended as a refuge for the wrongdoer who uses the telephone in a scheme to violate the wire fraud state.

The majority suggests, assuming *arguendo* that the tapes are admissible against Hanna, that they cannot be introduced against Modell because there is no evidence that he participated in the wire fraud, citing *Katz v. United States*, U.S. No. 35, Oct. Term, 1967, decided December 18, 1967, as controlling. However, I do not believe *Katz* to be analogous. That case censured eavesdropping by *federal agents* as constituting a violation of the defendant's Fourth Amendment rights against unlawful search and seizure. But the Fourth Amendment is no bar to eavesdropping by persons such as these telephone company employees; it applies only to acts of the government. *Burdeau v. McDowell*, 256 U.S. 465. The evidence demonstrates that the government played no part in the "interception" here complained of. Moreover, since I find no violation of Sec. 605 in obtaining and divulging the statements of Modell, there is no legal impediment to their admissibility against him.

For the reasons stated I would affirm.

Adm. Office, U. S. Courts—E. S. Upton Printing Co., N. O., La.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 3/21/68

FROM : SAC, MIAMI (165-592) (P*)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI, FBW
(OO: MIAMI)

Re Miami letter to Bureau, dated 3/19/68, enclosing a copy of the opinion of the U. S. Court of Appeals, Fifth Circuit, in the matter involving HANNA and NATHAN MODELL versus United States.

The following is set forth, as a matter of information, in the form of a brief analysis concerning this case and the court's opinion:

HANNA was convicted on one count of an indictment charging him with violation of Title 18, U. S. Code, Section 1343 (Wire Fraud). In addition, HANNA and MODELL were convicted on two additional counts charging them with violation of Title 18, U. S. Code, Section 1084 (Wagering by Wire) and Title 18, U. S. Code, Section 1952 (Use of the Telephone in Interstate Commerce to Promote an Unlawful Activity).

It appears that the telephone company suspected HANNA was using an electronic device known as a "Blue Box" to make unrecorded long distance calls. In order to ascertain if the telephone company was being defrauded of tolls, its security personnel attached detection devices, including a tape recorder, to HANNA's line. The tape recorder was unattended and automatically recorded the first 30-45 seconds of each call. It was an integral item in the detection process. This surveillance lasted some 23 days until on December 21, 1965, a telephone company security officer was required under subpoena to bring the tape recordings to a Federal Grand Jury. The recordings were subsequently turned over by Government lawyers, who were handling the Grand Jury, to the FBI.

2 - Bureau
2 - Miami
(1 - 165-592)
(1 - 66-2944)

FWD/vas
(4)



6 APR 2 1968

5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

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MM 165-592

Conversations recorded on the tapes indicated HANNA in Miami and MODELL in New York were engaged in bookmaking. Based on these conversations, the FBI obtained arrest and search warrants for both subjects. The warrants were executed on January 8, 1966. Gambling paraphernalia was seized at both places, as well as the "Blue Box" at HANNA's.

A pre-trial motion to suppress the tape recordings and the evidence seized in the searches was denied by the trial court.

On appeal, the issue presented was whether the foregoing evidence was obtained as a result of violating Title 47, U. S. Code, Section 605, the statute which pertains to the unauthorized publication or use of communications. It was conceded that the Government's case rested on the tape recordings and the evidence derived therefrom.

In a 2-1 decision the Court of Appeals for the Fifth Circuit held on March 5, 1968, that security personnel of the telephone company were not within the class of employees who, by the first clause of the statute, could lawfully divulge the substance of an interstate communication under compulsion of subpoena, i.e., those employees who have "to do with the sending or receiving" of such communications.

The majority concluded that the telephone company's security personnel violated another clause of the foregoing statute which provides that "no person not ... authorized by the sender shall intercept any communication and divulge ..." its contents.

The Appellate Court held that the trial court erred in denying the motion to suppress. The judgment of guilty was reversed with directions to render judgment discharging defendants.

In a dissenting opinion, District Judge HUGHES, opined that security personnel of the telephone company were

MM 165-592

in fact within the class of the carrier's employees who were not proscribed by the statute from intercepting communications and divulging, under subpoena, their contents.

The dissenting judge additionally felt that the right of privacy granted by the statute did not exist in this situation because the calls between HANNA and MODELL were illegal transactions at their inception, i.e., the company's facilities were being fraudulently used without payment. It was stated that the statute was not intended to provide a haven for such wrongdoers.

On March 18, 1968, Mr. WILLIAM EARLE, Departmental Attorney, Miami, advised SA [REDACTED] that it is his desire to file a petition requesting the court to rehear this matter en banc. Mr. EARLE will request permission from the Solicitor General to file such a petition.

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In the event such permission is not forthcoming, Mr. EARLE will then give consideration to requesting permission to file a petition for a writ of certiorari in the Supreme Court.

The foregoing is submitted as a matter of information. Miami is following this matter and will keep the Bureau promptly advised of developments.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (165-1990)

DATE: March 27, 1968

FROM : SAC, Miami (165-592)(P*)

SUBJECT: KENNETH HERBERT HANNA, aka; et al
ITAR; ITWI, FBW
(OO: Miami)

Re Miami letter to the Bureau, dated 3-21-68 (no copy to New Orleans).

For the information of New Orleans, the Court of Appeals for the Fifth Circuit on March 5, 1968, reversed the conviction of subject HANNA and subject NATHAN MODELL, and ordered that judgment be entered discharging defendants.

Mr. WILLIAM EARLE, Department Attorney, Miami, Florida, on March 22, 1968, received permission from the Solicitor General to file a petition requesting the Circuit Court to re-hear this matter en banc. This petition for re-hearing will be filed by Mr. EARLE on or before March 26, 1968.

- LEAD -

NEW ORLEANS DIVISION

At New Orleans, Louisiana:

Will follow and report the results of the Government's petition for a rehearing en banc.

② - Bureau
2 - New Orleans
2 - Miami
FWD:mjs
(6)

EX 101
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165-1990-68
10 MAR 29 1968



69
APR 4 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NINE

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

FROM : SAC, MIAMI (165-592) (P*)

DATE: 4/2/68

SUBJECT: KENNETH HERBERT HANNA, aka.;
Et Al
ITAR;
ITWI;
FBI

OO: MIAMI

Re Miami letters to Bureau, 3/21 and 3/27/68.

Enclosed for the Bureau is one copy of
the Government's Petition for Rehearing En Banc.
The enclosed copy was received on March 29, 1968, from
WILLIAM EARLE, Departmental Attorney, Miami.

2 - Bureau (Enc. 3)
1 - Miami
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ENCLOSURE

ENC. BEHIND FILE

FX-115

REC 55

165-1990-69

5 APR 4 1968



5010-108-01

79 APR 10 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 5/21/68

FROM : SAC, NEW ORLEANS (165-597)(P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI, FBW
(OO: Miami)

Re Miami letter to Bureau, 3/27/68.

On 5/20/68, [REDACTED] Deputy Clerk, Fifth Circuit Court of Appeals, New Orleans, La., advised that an opinion-order was filed 4/17/68, granting re-hearing in this matter, but no date of re-hearing has been set in this matter.

Will advise the Bureau and Miami of decision in this matter.

- ② - Bureau
 - 2 - Miami (165-592)
 - 2 - New Orleans
- CLM:jah
(6)

REC-24

165-1990-70

EX-103

14 MAY 23 1968

NINE



MAY 29 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

DATE: 6/10/68

FROM: SAC, MIAMI (165-592) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FBW
(OO: MIAMI)

Re Miami letter to Bureau dated 4/2/68.

On April 17, 1968, the Court of Appeals for the Fifth Circuit entered an order granting a rehearing of this matter before the panel of the court which heard the case originally. It is recalled that the panel consisted of Circuit Judges RIEVES, and GODBOLD, and District Judge HUGHES. The rehearing is to be submitted on briefs.

Pursuant to the foregoing order, Mr. WILLIAM G. EARLE, Departmental Attorney, Miami, Florida, submitted a brief on the rehearing. A copy of this brief is enclosed for the information of the Bureau.

This matter is being followed and the Bureau will be kept informed of pertinent developments.

② - Bureau (Enc 1) ENCLOSURE
2 - Miami (1 - 66-2944)
FWD/jd
(4)

EX 103

165-1990-71

REC-27

JUN 13 1968

ENCLOSURE ATTACHED



5010-108-01

JUN 21 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

RE KENNETH HERBERT HANNA, aka; ET AL

ENCLOSURES A brief on rehearing of case re subject.

TO DIRECTOR, FBI (165-1990)

FROM SAC, MIAMI

STATE FILE No. 165-592

via let, 6/10/68



165-1990-71

ENCLOSURE

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NO. 24343

KENNETH HERBERT HANNA and
NATHAN MODELL,

Appellants,

versus

UNITED STATES OF AMERICA,

Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

BRIEF ON REHEARING OF APPELLEE

FRED M. VINSON, JR.
Assistant Attorney General

WALLACE H. JOHNSON
WILLIAM G. EARLE
Attorneys, Department of
Justice
P. O. Box 1070
Miami, Florida 33101

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NO. 24343

KENNETH HERBERT HANNA and
NATHAN MODELL,

Appellants,

versus

UNITED STATES OF AMERICA,

Appellee.

BRIEF ON REHEARING OF APPELLEE

I.

INTRODUCTION

This brief is submitted in addition to appellee's two earlier briefs and its petition for rehearing en banc. In keeping with the spirit of the request of the Court in its order granting rehearing as little duplication as possible is included. This brief therefore is necessarily fragmented and appellee's position can be understood only when this brief is considered with the other three.

II.

SUMMARY OF APPELLEE'S POSITION

§605 of the Federal Communications Act does not protect the privacy of telephone communications made with the assistance of electronic equipment designed to enable the caller to avoid payment of the toll. Katz v United States, supra, Sugden v United

States, supra.

If the privacy of the calls in question, however, is protected by §605, the disclosure made here was in accordance with that section because the first clause of §605 covers telephone company security personnel and it allows disclosure pursuant to subpoena.

In the absence of any evidence in the record an inference that disclosure was improperly made should not be made by the appellate court.

If the telephone company's right to intercept calls is governed by a standard of reasonableness the Court must here draw that line of reasonableness and logically must allow the Government to use the evidence which was reasonably intercepted.

Even if the evidence was illegally secured there is no prohibition in a criminal prosecution in the Federal courts against using evidence illegally secured by a private party.

ARGUMENT

III. RECEIPT AND USE OF THE EVIDENCE BY APPELLEE

Appellee urges four arguments any one of which makes the tape recordings admissible. The first three have been urged earlier and will only be restated albeit in a somewhat different manner.

A. One who places a call with the assistance of electronic equipment designed to enable the caller to avoid paying for the call is entitled to neither the

protection of §605 nor the protection of the Fourth Amendment, Sugden, supra and Katz, supra, and thus there are no restrictions on the disclosure or admissibility of evidence secured by monitoring minute portions of such telephone calls.¹

B. A logical reading of §605 in the year 1968 impels the conclusion that its first section is intended to cover the interception of conversations by all telephone company employees acting in the regular course of their business.

Therefore the existence and contents of those directly dialed calls where the communications "necessarily become known"² to security officers in the regular course of their duties (as was the case here, for the security

¹

Appellee urges upon the Court thus a very limited and circumscribed right to intercept and divulge telephone calls. Judge Rives to the contrary; this right would not permit the interception and divulgence of calls by people "properly" using the telephone to "plan or effectuate crime" (Opinion of Judge Rives at 16). §605, Nardone, supra, and all the other cases clearly prohibit the interception and divulgence of all lawfully initiated calls.

It cannot be emphasized enough that it is not the content of the calls but rather the manner of their placement which makes them subject to interception and divulgence.

²

See Opinion of Judge Rives at 12.

officers were attempting to secure billing information for these calls and were the only employees of the company in a position to do so) may be divulged pursuant to subpoena.³

C. The Government had no knowledge of nor encouraged the telephone company's conduct (R.42-49, 76-84).

Ever since Burdau v McDowell, 256 U.S. 465 (1921) courts have repeatedly held that evidence seized illegally by individuals and turned over to Federal authorities is admissible in a criminal prosecution.

e.g. United States v Goldberg, 3 Cir. 1964, 330 F.2d 30, 35 cert. den. 377 U.S. 953, United States v. Ashby, 5 Cir. 1957, 245 F.2d 684, 686.

The exclusionary rule is intended to insure the lawful conduct of Government agents and has never been extended to exclude from the Federal Courts evidence illegally secured by private persons.

D. Finally, the inference drawn by Judges Godbold and Rives that the "existence and some inkling of the contents of the communications were disclosed to the Government by the telephone company employees"⁴ is based on a vacuum of

³ This argument is detailed in Judge Hughes' dissent at 21, 22 and in Appellee's post oral argument brief at 4, 5.

⁴ See Opinions at 6 and 19.

evidence in the record and can be, if necessary, demonstrated to be contrary to the facts.

The burden is on the accused attacking the propriety of certain evidence to establish that it was illegally obtained. United States v Morin, 2 Cir. 1967, 378 F.2d 472, 475 citing Nardone v United States, 308 U. S. 338, 341-342 (1939), Addison v United States, 5 Cir. 1963, 317 F.2d 808, 812 cert. den. 376 U.S. 905 (1964). Surely the accused cannot be deemed to have carried his burden when no evidence on this point was adduced at the pre-trial hearing on the motion to suppress.

The truth or falsity of an inference which, in the eyes of at least one Judge, is dispositive of the entire case should be decided by the taking of evidence by a trial Judge on remand. At such a hearing the Government would make available for the defense the telephone company and Department of Justice personnel who discussed the matter and the Grand Jury subpoena issued as a result of their discussion.

Appellee urges that it is only fair to wait until after evidence is taken on this matter, if it be deemed necessary, to question the credibility of the Government as Judge Rives does in footnote 2 of his Opinion.

IV.

THE BUBIS RATIONALE

Finally, after resolving the issue of disclosure this Court may decide that the Bubis Court was correct in limiting monitoring and tape recording under the circumstances here until "ample"⁵ evidence of illegal use of the facilities has been secured and that further monitoring or tape recording would be unreasonable and unnecessary, Bubis v United States, 9 Cir., 1967, 384 F.2d 643 at 648.⁶

If the Court so rules then it must determine when "ample" evidence of illegal use was secured.⁷ No matter when the Court

⁵ Webster's New Collegiate Dictionary, G.C. Merriam Co., 1960 ed., defines "ample" as being: of large size, extent, volume or more than adequate or gratifyingly copious in matter or style and cites as a synonym "Plentiful".

⁶ Judge Godbold has adopted this position at 19, 20. Appellee has made clear in its post oral argument brief that it disagrees with this conclusion of Bubis.

⁷ Appellee realizes that drawing the line between reasonable and unreasonable monitoring requires a difficult and somewhat arbitrary decision, but respectfully submits that if the Court's decision is based on the Bubis rationale, the task must be attempted; for here, unlike normal search and seizure, the evidence is severable. Phrased differently, the admissibility of the evidence secured on the later days should not affect the admissibility of the evidence secured on the earlier days.

decides this point occurred there is no reason that the initial monitoring and tape recordings would not be reasonable and therefore admissible (assuming the Court has previously decided that disclosure was proper.).

V. FACTUAL CLARIFICATION REGARDING FOOTNOTE 15

Because footnote 15 of Judge Rives Opinion refuses to accept at face value the facts in footnote 3 of the Government's brief and then proceeds to make crucial conclusions based on his understanding of the equipment involved, appellee feels some factual clarification may benefit the Court.

After recognizing that the phone company has the right and duty to require payment of calls, Judge Rives states that use of the blue box detection unit with a peg counter meter without a tape recorder would "adequately protect" the phone company. To determine whether this is true it is necessary to understand exactly what a peg counter meter does. It discloses only the existence of a 2600-cycle tone. More importantly, it does not disclose (a) who is making the call, (b) whether a blue box is being used, (c) what number is called, (d) whether the connection is completed or (e) how long the call lasts. All of which would be sine qua non elements of establishing fraud. It is to be recalled that a 2600-cycle tone could have sources other than a blue box. Hopefully this punctuates the fact that a mere peg counter meter would not give "adequate protection".

In the next part of footnote 15, Judge Rives contradicts his own Opinion. He states that evidence of a 2600-cycle tone secured by a peg counter meter would be lawfully obtained evidence and then states that the telephone company could report to a governmental authority the probable commission of a crime, and the government could then petition a Court for a search warrant to place a tape recorder on the line. This is amazing in light of the fact that on page 13 of his Opinion he makes it clear that the second clause of §605 "means what it says and says what it means". A reading of that clause reveals that it says that divulging the mere existence of an intercepted communication is prohibited. The existence of the communications would of course have to be disclosed to the Government to enable it to secure a search warrant alleging a violation of a federal crime. Under Judge Rives own Opinion then, his recommended method would be improper disclosure.

In addition it is difficult to see what crime's "probable cause" requirements would be satisfied by the mere showing that a 2600-cycle tone was detected on a phone line by a peg counter meter.

It should be apparent that minimum adequate protection for the phone company cannot be accomplished as Judge Rives suggests.

VI.

EFFECT OF KATZ v UNITED STATES

Katz v United States, 389 U.S. 347 (1967) is inapplicable. Its facts involved neither wiretapping nor §605. Katz held that eavesdropping (not wiretapping) by Federal agents (not private parties)

was a violation of the Fourth Amendment (not §605) because the agents had not secured a search warrant. Katz had paid his toll and the Court made it clear that he was entitled to the protection of the Fourth Amendment from eavesdropping only because he had paid his toll. (See petition for rehearing at 4, 6, and 7). Katz thus reaffirms that Court's holding in Sugden that no right of privacy exists until one has secured the privilege of using the communications facility by obtaining the requisite license or by paying the toll.

CONCLUSION

Appellee respectfully prays that this Court withdraw its Opinion of March 5, 1968 and affirm in all respects the judgment of the District Court.

In the alternative, Appellee respectfully prays that if the inference discussed herein is dispositive of the cause that this cause be remanded to the District Court for an immediate evidentiary hearing restricted to the issue of what information was disclosed to the Government by the telephone company.

Respectfully submitted,

FRED M. VINSON, JR.
Assistant Attorney General

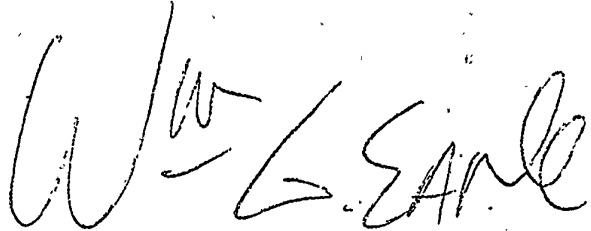
WALLACE H. JOHNSON

WILLIAM G. EARLE

W H Johnson
Attorneys, Department of
Justice, Criminal Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing
Brief on Rehearing of Appellee was mailed to James J. Hogan,
Esq., 420 Lincoln Road, Miami Beach, Florida, attorney for the
Appellants, this 21ST day of May, 1968.

A large, stylized handwritten signature in dark ink, appearing to read 'W. G. Earle'.

WILLIAM G. EARLE

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
 DeLoach _____
 Mohr _____
 Bishop _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

TO : W. S. Tavel *WST*

DATE: 7-11-68

FROM : I. W. Conrad *IWC*

SUBJECT: KENNETH HERBERT HANNA, AKA;
 ET AL.
 ITAR; ITWI; FBW

165-1990

There is enclosed the file which has been maintained in the Laboratory in connection with the above-captioned matter. It is desired that this file be maintained as an enclosure to the main file in the Records Branch.

Enc. **ENCLOSURE**

b6
 b7C

SEVEN *1/36***NOT RECORDED**

4 JUL 12 1968

"ENCLOSURE ON BULKY RAMP"

380
66 JUL 12 1968

UNITED STATES GOVERNMENT

Memorandum

TO: DIRECTOR, FBI (165-1990)

FROM: *[Signature]* SAC, NEW ORLEANS (165-597)(P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FBW
(OO: Miami)

DATE: 7/19/68

Re New Orleans letter to Bureau, 5/21/68.

On 7/18/68, Deputy Clerk,
Fifth Circuit Court of Appeals, New Orleans, La., advised
that no date of re-hearing has been set in this matter.

b6
b7C

Will advise the Bureau and Miami of decision in
this matter.

92

realt

2 - Bureau
2 - Miami (165-592)
2 - New Orleans
CIM:jah
(6)

165-1990-73

REC-3

15 JUL 22 1968

228

WAVE



54 JUL 26 1968

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (165-1990)

FROM : SAC, MIAMI (165-592) (P)

DATE: August 6, 1968

SUBJECT: KENNETH HERBERT HANNA, aka.;
ET AL
ITAR;
ITWI;
FBW

OO: MIAMI

Re Miami let to Bureau, 6/10/68.

On August 6, 1968, Mr. WILLIAM G. EARLE, Departmental Attorney, Miami, Florida, advised that no additional action has taken place in this matter since the Government filed its brief in connection with the rehearing.

This matter is being followed by the Miami Division and the Bureau will be kept informed of pertinent developments.

2 - Bureau
2 - Miami
(1 - 165-592)
(1 - 66-2944)
FWD/neb
(4)

REC 13

165-1990-74

25 AUG 8 1968

WINE



UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR; FBI (165-1990)

DATE: 9/18/68

FROM : SAC, NEW ORLEANS (165-597) (P)

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FBW
(OO: Miami)

Re New Orleans letter to Bureau 7/19/68 and Atlanta letter to New Orleans 7/29/68.

On 9/17/68 [REDACTED] Fifth Circuit Court of Appeals, New Orleans, Louisiana, advised that no date of rehearing has been set in this matter.

b6
b7C

Will advise the Bureau, Miami and Atlanta of decision in this matter.

[Handwritten signature]

- ② - Bureau
- 2 - Miami (165-592)
- 2 - Atlanta (162-268)
- 2 - New Orleans (165-597)

EX 110
REC-1

165-1990-75

CLM-amm
(8)

18 SEP 20 1968

NINE



61 SEP 26 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Director (165-1990)

FROM : SAC, Miami (165-592) (P*)

DATE: October 25, 1968

SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR;
ITWI;
FBW

OO: Miami

Re Miami letter to Bureau dated 8/6/68.

It is recalled that the Fifth Circuit Court of Appeals entered an order in this matter granting a rehearing of this case before the three judge panel of the court which heard the case originally. The rehearing was to be submitted on briefs.

On October 23, 1968, Mr. WILLIAM G. EARLE, Departmental Attorney, Miami, advised SA [redacted] that no decision has yet been rendered on the rehearing.

The Bureau will be kept informed of the pertinent developments.

- 2 - Bureau
1 - Cincinnati (165-331) (Info)
1 - New Orleans (165-597) (Info)
2 - Miami (1 - 66-2944)
FWD:amc
(6)

ST 109

REC-19

165-1990-

2 OCT 28 1968



56 NOV 4 1968

5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NICE

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 19 1968

TELETYPE

FBI WASH DC

FBI MIAMI

8:12PM DEFERRED 11-19-68 PJL

TO DIRECTOR (165-1990) AND NEW ORLEANS (165-597)

FROM MIAMI (165-592)

KENNETH HERBERT HANNA, AKA ET AL - ITAR; ITWI; FBW.

RE MMLETTER TO BUREAU OCT. TWENTYFIVE LAST.

DA WILLIAM G. EARLE ADVISED FROM WASHINGTON TODAY THE FIFTH CIRCUIT COURT OF APPEALS IN NEW ORLEANS REVERSED THEIR ORIGINAL DECISION AND RULED THREE TO ZERO IN FAVOR OF THE GOVERNMENT IN HANNA VERSUS U.S. FIFTH CIRCUIT ENTERED AN ORDER IN THIS MATTER GRANTING A HEARING OF CASE BEFORE A THREE JUDGE PANEL OF THE COURT WHICH ORIGINALLY HEARD THE CASE.

DECISION EXTREMELY IMPORTANT IN [REDACTED] ET AL CASE WHICH IS CURRENTLY IN THE FIFTH CIRCUIT AND WHICH HAS SIMILAR QUESTIONS AS THE HANNA APPEAL. ST-113 REC 26 REC 26 165-1990-77

NEW ORLEANS CONFIRM DECISION AND ADVISE BUREAU AND MIAMI.

END

GMA

FBI WASH DC

P

15 NOV 20 1968

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

b6
b7C

b6
b7C

391
68 NOV 20 1968

90

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 20 1968

TELETYPE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

X

FBI WASH DC

b6
b7C

FBI NEW ORLS

10:56PM URGENT 11-20-68 LAB

TO DIRECTOR 165-1990 AND MIAMI 165-592

FROM NEW ORLEANS 165-597

KENNETH HERBERT HANNA, AKA ET AL - ITAR; ITWI; FBW.

RE MIAMI TELETYPE TO DIRECTOR AND NEW ORLEANS NOVEMBER
NINETEEN LAST.

DECISION OF FIFTH CIRCUIT COURT OF APPEALS, NEW ORLEANS,
DATED NOVEMBER EIGHTEEN LAST REFLECTS ON RE-HEARING THE
JUDGEMENTS OF CONVICTION OF BOTH HANNA AND MODELL ARE
AFFIRMED.

COPIES OBTAINED AND BEING FORWARDED THIS DATE
AIR MAIL SPECIAL DELIVERY.

END

LCC

FBI WASH DC

REC-8

ST-121

NOV 21 1968

CC-MH

NOV 27 1968

F B I

Date: November 27, 1968

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (165-1990)
FROM: SAC, MIAMI (165-592) (P*)

KENNETH HERBERT HANNA, aka.;
NATHAN MODELL
ITAR;
ITWI;
FBW

OO: MIAMI

Subject NATHAN MODELL died at Miami Beach
on 11/22/68.

Above for information.

3 - Bureau
1 - Atlanta (info) (162-268)
1 - New York (info) (165-1344)
1 - Miami
WFH/neb
(6)

EX-102

REC 49

165-1990-79

b6
b7C

NOV 29 1968

NINE

164
56 DEC 6 1968

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

F B I

Date: 11/20/68

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AMSD
(Priority)

TO: DIRECTOR, FBI (165-1990)
FROM: SAC, NEW ORLEANS (165-597) (RUC)
SUBJECT: KENNETH HERBERT HANNA, aka;
ET AL
ITAR; ITWI; FBW

Re New Orleans letter to Bureau, 9/18/68.

On 11/20/68, [redacted] Deputy
Clerk, Fifth Circuit Court of Appeals, New Orleans, La.
made available three copies of decision on re-hearing,
dated 11/18/68, copy of which is enclosed for the Bureau,
Miami, and Atlanta.

b6
b7C

The decision states that the judgements of
conviction of both HANNA and MODELL are therefore
AFFIRMED.

ENCLOSURE
ENCLOSURE ATTACHED
3-BUREAU (ENC. 1) (AMSD)
2-MIAMI (165-592) (ENC. 1) (AMSD)
2-ATLANTA (162-268) (ENC. 1) (AMSD)
1-NEW ORLEANS

CLM:cjm
(8)

EX-103

REC 43

165-1990-80
15 NOV 21 1968b6
b7C

b6

b7C

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

79 DEC 10 1968

008 -0661-591 ENCLOSURE



h61

ENCLOSURE TO BUREAU FROM NEW ORLEANS

RE: KENNETH HERBERT HANNA, aka
ET AL

1-copy of U.S. COURT OF APPEALS re-hearing.

BUREAU 165-1990
NEW ORLEANS 165-597
AIRTEL DATED 11/20/68

IN THE
United States Court of Appeals
FOR THE FIFTH CIRCUIT

No. 24343

KENNETH HERBERT HANNA and NATHAN MODELL,
Appellants,
versus

UNITED STATES OF AMERICA,
Appellee.

*Appeals from the United States District Court for the
Southern District of Florida.*

(November 18, 1968)

ON REHEARING

Before RIVES and GODBOLD, Circuit Judges,
and HUGHES, District Judge.

RIVES, Circuit Judge: On original hearing,¹ Judge Rives wrote what was intended to become the opinion of the Court. Judge Godbold concurred specially, and Judge Hughes dissented. On further consideration, it

¹Opinion reported in 393 F.2d 700.

appears that Judge Rives' original opinion is in error both as to the facts and as to the law.

The factual errors are contained in footnotes 2 and 15. The inference was mistakenly drawn "that prior to the issuance of the subpoena duces tecum, the existence and some inkling of the contents of the communications were disclosed to the Government by some telephone company employee."² It now appears that that inference is unwarranted since it does not follow from the evidence that either the existence or the contents of the communications were unlawfully disclosed. Indeed, the telephone company's explanation of the disclosure in its amicus curiae brief is entirely consistent with the evidence:

"We are prepared to show, if the Court should deem it necessary, that after Southern Bell Telephone and Telegraph Company had gathered evidence of Hanna's fraud by wire, Mr. H. W. William Caming of this Company's Legal Department on December 14, 1965 telephoned Mr. Robert D. Peloquin of the Department of Justice and reported only the following: that evidence of electronic toll fraud had been discovered in the southern Florida area, which we would disclose under proper subpoena.

"Thus, no disclosure whatever, within the meaning of § 605, was made to the Government

²That erroneous inference was expressly relied on by Judge Godbold in his concurring opinion. See 393 F.2d at 708.

prior to Mr. Doyle's appearance before the federal grand jury on December 22 in response to its subpoena duces tecum (R. 50). *Not only was there no prior disclosure of the existence or contents of any particular communication, but also neither the suspect's name, occupation, nor telephone numbers were divulged.*" (Emphasis in the original.)

While Hanna and Modell are not bound by that statement, it does establish the incorrectness of the inference, and Hanna and Modell cannot reap any benefit from that mistaken inference. Of course, the burden of showing prejudicial error is upon the party attacking the judgment.³

In footnote 15 to Judge Rives' original opinion, he digressed to explain why he did not think that the telephone company necessarily had to record any parts of the conversations in order to perform its duty to require payment of the long distance tolls prescribed in its tariffs. The telephone company's explanation of its statutory duties and of its procedures in meeting those duties demonstrates the necessity for it to record limited parts of the conversations in order to require payment of the long distance tolls for illegal calls:

"No carrier can discriminate between its customers by extending preferential treatment to any. 47 U.S.C. §§ 202, 203(c). Knowingly to allow those committing electronic toll fraud to

³Neubauer v. United States, 8 Cir. 1958, 250 F.2d 838, 839; Hall v. Texas & N.O. Ry. Co., 5 Cir. 1962, 307 F.2d 875, 876.

receive free service would constitute such discrimination. Furthermore, each carrier is enjoined, under pain of criminal penalty, not to neglect or fail to maintain correct and complete records and accounts of the movements of all traffic over its facilities. 47 U.S.C. § 220. Each carrier is also obliged to collect the federal excise tax levied upon each long distance call. 26 U.S.C. § 4251. . . .

" . . . there is no alternative at this state of the art but to make a limited recording of each illegal call - at least of the fraudulent dialing and opening salutations - to:

(i) identify the calling party (the user of the blue box), and others with whom he may be acting in concert . . . identification of the telephone line from which the fraudulent calls are originating must be followed by the more difficult identification of the specific individual making the calls - this is, of course, of paramount importance;

(ii) establish the location from which the calls are originating;

Most blue boxes, for example, are not cumbersome installations but rather, portable devices (some as small as a pack of cigarettes) which can be readily attached to telephone wires by alligator clips.

(iii) record the multifrequency tones being 'dialed' (key pulsed) by the blue box; and

(iv) determine whether the fraudulent call was completed (by the called party answering). (R. 63, 68-70, 81-84, 35-38, 42-45.)

"Distance (as well as time) is a factor in determining the proper billing charge for a long distance call. It is, therefore, necessary to ascertain each specific location called after the wrongdoer seizes the circuit."

Since it is not shown that the telephone company did more than was necessary for it to comply with the duties imposed by 47 U.S.C. § 220 and 26 U.S.C. § 4251, it does not appear that it exceeded the standards of reasonableness as Judge Godbold had originally thought.⁴ Again, the burden of showing prejudicial error has not been sustained by the parties attacking the judgment.⁵

As to the law, Judge Rives' original opinion was in error in not recognizing what Judge Hughes expressed so clearly in her dissenting opinion:

"The leading case which sustains the view that, if the use of a communication facility is

⁴See concurring opinion, 393 F.2d 708.

⁵See footnote 3, *supra*.

illegal, the right of privacy does not exist and the matter may be divulged, is *Sugden v. U. S.*, 226 F.2d 281 (9th Cir. 1955) affirmed per curiam, 351 U.S. 916, 76 S.Ct. 709."

393 F.2d at 709.

This Court is bound by the decision in *Sugden* because it was affirmed by the Supreme Court in a terse per curiam: "The judgment is affirmed." 351 U.S. 916. The judgment thus affirmed is summarized in the last paragraph of the opinion of the Ninth Circuit as follows: "The orders dismissing the causes and suppressing evidence are reversed for proceedings not inconsistent with this opinion." 226 F.2d at 286. That opinion had explained that the operators were not licensed until September 17th, "Therefore, they were not legally using the station before September 17th." The opinion had expressed the view, "that the trial court should re-examine the motions of defendants on the basis that free use of any radio communications made before September 17th can be made. The district court will need a new hearing before ruling on the suppression of evidence and quashing the indictment." 226 F.2d at 285. Clearly, in affirming the judgment the Supreme Court placed its stamp of approval on that much of the opinion. Indeed, that was the only part of the opinion adverse to the defendants at whose instance certiorari was granted. 350 U.S. 952.

No sound distinction as to the applicability of section 605 can be drawn between wire and radio. The original statute, written in almost identical terms,

applied only to radio communications. Act of Feb. 23, 1927, ch. 169, § 27, 44 Stat. 1162, 1172. Those provisions were extended to wire communications by section 605 without any distinction being made between the two methods of communication. It must, therefore, be conceded that when the use of the communication facility itself is illegal, section 605 has no application, at least insofar as concerns the person guilty of such illegal users. Whatever we might otherwise think, this Court is bound by the *Sugden* decision. Section 605 being inapplicable as to Hanna, the district court properly admitted against him the tape recordings and gambling paraphernalia found as a result of those recordings.

As to Modell, the case may stand differently. In *Sugden*, *supra*, the Ninth Circuit commented that, "It seems none [no license] is required for the operator of the mobile end of the two way radio apparatus." 226 F.2d 282. That operator, however, was not a defendant, and there was thus no holding that any evidence of the conversation would be admissible against him. Here Modell is a defendant, and, concededly, there was no proof that he knew that Hanna was using the telephone illegally.⁶ Since Modell, in the imagery of *Sug-*

⁶In the district court the United States Attorney unequivocally conceded: "As far as Mr. Modell is concerned, we certainly concede that there is absolutely no proof that he was using one of these blue boxes and there is no proof even that he knew a blue box was being used." If Modell had also been a trespasser on the line, the probability is that he would have been using a "black box." The witness Doyle testified as follows:

"THE COURT: What is a black box as distinguished from a blue box?"

den, 226 F.2d 285, was "legally on the air," section 605 applied as to him.

There was, however, no violation of section 605 in obtaining and divulging the statements of Modell if the telephone company employee who learned of the communications and thereafter divulged their existence and contents was, within the meaning of the first clause of section 605, "a person . . . transmitting, or assisting in transmitting," the communication. Further consideration has persuaded Judges Rives and Godbold to agree with Judge Hughes that, under the circumstances of this case, "a security officer, in the light of present day developments, should be included among company employees engaged in the transmission of communications." That is true because the obligations imposed upon the telephone company by the Communications Act and the Internal Revenue Laws, 47 U.S.C. §§ 202, 203, 220; 26 U.S.C. § 451, both authorized and required it to discover the existence and parts of the contents of the illegal calls. Under those laws, such discovery becomes a part and parcel of the transmission of the communications. Section 605 provides that information thus lawfully obtained may be divulged "in response to a subpoena issued by a court of competent jurisdiction, or on demand of other law-

"THE WITNESS: A black box is also an electronic device. It is placed on the terminating end to the telephone call. The black box, in effect, shows our toll billing network that that telephone call was never answered, when, in fact, it was answered and people talked. That is the basic difference."

There was no proof that a "black box" was placed on Modell's end of the line.

ful authority." It now appears that the existence and parts of the contents of the communications were both lawfully obtained and lawfully divulged, and that there was no violation of section 605. Hence, the district court properly admitted against Modell the tape recordings and gambling paraphernalia found as a result of those recordings.

The judgments of conviction of both Hanna and Modell are therefore

AFFIRMED.

FBI

Date: 1/3/69

Mr. Tolson _____
 Mr. DeLoach _____
 Mr. Mohr _____
 Mr. Bishop _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

Transmit the following in _____
 (Type in plaintext or code)

Via A I R T E L _____
 (Priority)

TO: DIRECTOR, FBI (165-1990)
 FROM: SAC, MIAMI (165-592) (P*)
 RE: KENNETH HERBERT HANNA, aka
 ET AL
 ITAR; ITWI; FBW
 (OO: MIAMI)

b6
 b7C

Re Miami teletype to Bureau, 11/19/68.

On 1/2/69, Departmental Attorney WILLIAM G. EARLE advised a petition for a re-hearing en banc before the Fifth Circuit in New Orleans filed by defense attorney JAMES J. HOGAN in answer to the Court's reversal of 11/18/68, was denied on 12/30/68.

Mr. EARLE said the next step for the defendant would be to appeal to the U. S. Supreme Court. EARLE stated he did not know at this time whether HANNA would appeal to the high court, but surmised that he would.

REC 13

EX-102

15 JAN 8 1969

③ - Bureau
 2 - Miami
 (1 - 165-594)

EJS/bab

(5)

C. C. Bishop

Approved: 253

Sent _____ M Per _____

Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

^{WST}
TO ^{phs}: W. S. Gavel

DATE: 2-28-69

^{JWM}
FROM ^{phs}: J. W. Marshall

SUBJECT:

CST Kenneth Herbert Hanna

The attached booklet has been received in the Records Branch, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Branch, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received. *P*

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enc.

ENCLOSURE

ENCLOSURE ATTACHED

165-1990-82
NOT RECORDED

17 FEB 28 1969

734
51 MAR 3 1969

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Office Supreme Court, U.S.
FILED

JAN 27 1969

JOHN F. DAVIS, CLERK

IN THE
Supreme Court of the United States

OCTOBER TERM, 1968

No. 983

KENNETH HERBERT HANNA,
Petitioner,

versus

UNITED STATES OF AMERICA,
Respondent.

**Petition for Writ of Certiorari to the United States
Court of Appeals for the Fifth Circuit.**

GUY JOHNSON
812 Pere Marquette Building
New Orleans, Louisiana 70112



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IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1968

No.

KENNETH HERBERT HANNA,
Petitioner,
versus

UNITED STATES OF AMERICA,
Respondent.

Petition for Writ of Certiorari to the United States
Court of Appeals for the Fifth Circuit.

OPINION BELOW

The opinion of the Court of Appeals is reported in 393 F.2d 700, and is included herein as Appendix C.

JURISDICTION

The judgment of the Court of Appeals was entered March 5, 1968. Appendix A. An order granting a rehearing was entered on April 17, 1968. Appendix B. The judgment on rehearing was entered on November 18, 1968. Appendix C. A petition for rehearing was denied December 30, 1968. Appendix D. The jurisdiction of this court is invoked under 28 U.S.C. 1254(1).

QUESTION PRESENTED

Can the telephone company monitorings of illegal communications become legal evidence.

STATUTE INVOLVED

47 U.S.C. 605 provides in pertinent part:

"* * * and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person;* * *"

Amendment Four to the United States Constitution provides:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

STATEMENT OF THE CASE

The case may be summarized in one sentence. In an attempt to find non-paying users of long distance lines, the telephone company tapped the telephone conversations of Kenneth Herbert Hanna and produced there-

from the evidence that resulted in his conviction for interstate gambling. However, because the opinion of which this petition complains referred to an "error of fact" it becomes necessary to consider all facts in more detail.

In the first opinion of the fifth circuit the court stated "there was no dispute about the facts" and proceeded to quote the government version, which is as follows:

"In the twenty-seven day period from November 24, 1965, to December 21, 1965 over 500 telephone calls were placed from defendant Hanna's phone to a distant information operator (e.g. 1-area code-555-1212) (R. 35). This was discovered during an investigation of Hanna's phone conducted solely by the American Telegraph and Telephone (sic) Company and its subsidiary, Southern Bell Telegraph and Telephone (sic) Company. Hanna's phone had become the focus of an investigation by the telephone company, after an official of the company in New York detected an unusual condition on Miami phone number 945-9723. He notified Gerard Doyle, Security Manager of Southern Bell Telegraph and Telephone (sic) Company, of this unusual condition and that the condition indicated that in all likelihood a device known as a 'blue box' was being used on the line. (R. 34, 295). Doyle investigates toll frauds for the telephone company. Doyle knew from experience

that bookmakers use these devices. (R. 40-42, 295). So when he discovered that 945-9723 was subscribed to by Kenneth Hanna, whom Doyle knew to be a local bookmaker (R. 40, 295), he instructed company engineer, Ray Fowler, to determine if the unusual condition was a 'blue box'. On November 24, 1965 Fowler attached a piece of electronic equipment to Hanna's line capable of sensing a 2600 cycle tone originating at the subscriber's telephone. (R.42).² It was attached to Hanna's line before the line reached the toll network. (R. 66). Each time the detection unit sensed a 2600 cycle tone it activated a 'peg counter meter' which is simply a counting device for totalling the number of times a 2600 cycle tone is perceived by the detection unit. (R. 42, 80, 41).

"That night Fowler called Doyle and indicated that the counter was registering. (R. 43). Doyle then advised him to put a tape recorder on Hanna's line to record the sounds made by the 'blue box'. (R. 43, 80, 82). The tape recorder was unattended and was set to cut off automatically 35-45 seconds after being activated by the 2600 cycle tone on the subscriber's line. (R. 43, 44).³ Fowler was certain that a 'blue box' was being used and notified Doyle. (R. 45, 46, 83, 84). The detection unit, counter and unattended recorder remained on Hanna's line sporadically for twenty-three of the next twenty-six days until on

December 21, 1965, Doyle received a subpoena directing him to produce all the recordings before a Federal Grand Jury in Philadelphia, Pa. (R. 46-49, 296). He appeared the following day and turned the tapes over to the Grand Jury. (R. 57). This is the first time anyone in the Federal Government had knowledge that Hanna's line was being monitored. (R. 50).² Attorneys for the United States Department of Justice handling the Philadelphia Grand Jury turned the tapes over to the Federal Bureau of Investigation. The tapes were in turn given to Special Agent William Heist in Miami who contacted Doyle on December 30, 1965. (R. 61). This is the first time Doyle was ever contacted by an agent of the Federal Government relating to this matter (R. 50, 51, 61, 94) and he never did tell anyone outside the Grand Jury what was on the tapes. (R. 57)."³

"Based on the conversations contained in the tapes, Heist and Special Agent Maurice Rousell obtained a search warrant for Hanna's home and an arrest warrant for his person. (R. 91). Heist also determined that defendant Modell was one of the people called by Hanna in New York City. (R. 87, 92, 160). Because the conversations between Hanna and Modell revealed they were engaged in the use of interstate facilities in aid of bookmaking, as they later admitted by stipulation, arrest and search warrants were also issued against defendant

Modell and his apartment. On January 8, 1966, agents of the Federal Bureau of Investigation executed the warrants and bookmaking paraphernalia was seized at both places. The 'blue box' was seized at Hanna's residence. (R. 100)."

SOME VARIATIONS ON THE STATEMENT OF THE CASE

The court in footnotes 1, 2 and 3 expressed some reservations more specifically (1) They expressed some doubt that "only" by placing a tape monitor on the Hanna line could the company determine the illegal use. (2) They expressed some doubt that the first time anyone in the government had knowledge of the wiretap was when the company official testified before the Grand Jury. The court's doubt that a wiretap was the only solution to the telephone company's problem of catching thieves on their lines was adequately answered in the reversed first opinion wherein in a footnote they said:

As previously indicated, we do not accept at face value all that the Government says in footnote 3 to its brief. It seems to us that the use of the blue box detection unit with the peg counter meter, *but without the tape recorder*, would have given the telephone company adequate protection. With information thus lawfully obtained, a routine inspection might have resulted in the discovery and removal of the blue box. The telephone company might

also have reported to appropriate governmental authority the probable commission of a crime, following which the Government might have obtained a search warrant for the electronic search, as now authorized by the recent *Katz* decision referred to in footnote 14, or even for the blue box itself. A search warrant is of course not available to the telephone company. See 47 Am.Jur., Searches and Seizures, § 4, p. 504, § 56, pp. 536, 537; 79 C.J.S., Searches and Seizures, § 63, p. 825.

The second reservation made by the court in the first opinion was to the fact that while at the very instant a telephone company official was eavesdropping on Hanna's line he received a subpoena to appear before a Grand Jury in a distant city—all without some connection between the telephone company and the government before the issuance of the subpoena.

Petitions cannot help but interpolate that the incredulity of the court in the first instance was not the doubt of St. Thomas but was in fact the logic of St. Thomas Aquinas. Or, to put it very bluntly petitioner still believes that only collusion between the telephone company and the government could have produced the right subpoena for the right material at the right time.

However the original opinion was reversed in the later opinion because of: Error of Law - the Fifth Circuit did not follow *United States vs. Sugden*, 226 F.2d 281 (9th Cir. 1955), affirmed per curiam, 351 U.S. 916, 76 S.Ct. 709. Error of fact the mistaken inference “—

that prior to the issuance of the subpoena duces tecum, the existence and some inkling of the contents of the communications were disclosed to the Government by some telephone company employee”.

The Triple Threat of Mr. H. W. William Caming

The court reversed its original opinion on an error of fact or erroneous inference that there must have been “. . . some inkling” of information moving from the telephone company to the government before the issuance of this subpoena. This reversal did not result from a re-evaluation of material within the record, but obviously from the handiwork of one Mr. H. W. William Caming of the legal staff of the Southern Bell Telephone & Telegraph Company. This versatile individual does not appear in this record until the final rehearing, but once he does appear, he does so in a three ply capacity.

As amicus curiae, he informed the court that they had already made grave error by denying the company the right to listen to any and all telephone conversations to see if someone was sneaking a free call. This friend would have the court believe that no constitutional rights are at issue if the company without a semblance of legal process proceeds to determine by itself which telephone calls are legally made, and which are illegally made.

As a witness the ever present Mr. H. W. William Caming is right there. There on the last rehearing he testifies, or offers to testify exactly what is necessary

to bring his company's operations within legal limits. In the amicus curiae brief, the telephone company said:

"We are prepared to show, if the Court should deem it necessary, that after Southern Bell Telephone and Telegraph Company had gathered evidence of Hanna's fraud by wire, Mr. H. W. William Caming of this Company's Legal Department on December 14, 1965 telephoned Mr. Robert D. Peloquin of the Department of Justice and reported only the following: that evidence of electronic toll fraud had been discovered in the southern Florida area, which we would disclose under proper subpoena."

As an advocate, he champions the cause of the financial giants and pleads that the most irreparable of injury — the loss of profit — will occur if the court denies the telephone company the right to wiretap.

**CAN THE TELEPHONE COMPANY MONITORINGS OF
ILLEGAL COMMUNICATIONS BECOME LEGAL
EVIDENCE?**

It has in this case.

Hanna stands convicted of interstate gambling activity (18 U.S.C. 1084, 1952) on evidence derived from illegal telephone communications that were recorded by telephone company employees.

At the time Hanna was decided, two circuits had considered the question and reached diametrically opposed decisions. *Brandon v. United States*, 10 C.A., 382 F.2d 607, 1967, held this evidence to be admissible. *Bubis v. United States*, 9 C.A., 384 F.2d 643, held this evidence to be inadmissible. The Hanna decision of March 6, 1968, followed Bubis. On November 18, 1968, the fifth circuit reversed the earlier ruling and followed the Brandon ruling, holding the evidence to be admissible. Certiorari review of this opinion is asked in this petition.

Applicability of Katz (*Katz v. United States*, 389 U.S. 347, 88 S.Ct. 507, 19 L.ed.2d 576 (1967))

The fifth circuit opinion that followed Bubis and held that the telephone company interception of a telephone conversation could produce no admissible evidence was reversed at the request of the Attorney General. Amongst other representations made to this Court were: That the Katz opinion was authority for the fact that the dime in the slot of a pay telephone was the one factor that guaranteed the caller the constitutional protection of his right to privacy, and that the absence of this payment to a private telephone company gave the government — and the owner of the telephone — the right to listen to every conversation, record same and, if incriminating, to produce it in a court of law as evidence against the non-payer.

This preposterous interpretation of the Attorney General follows from the following excerpt from Katz:

"One who occupies (a telephone booth) shuts the door behind him and pays a toll that permits him to place a call, is surely entitled to assume that the words he utters into the mouth-piece will not be broadcast to the world."

The Attorney General, having thus disposed of the Katz application, then informed the fifth circuit that they were bound by *Sugden vs. United States*, 9 C.A., 226 F.2d 281. Affirmed in per curiam, 351 U.S. 916 (1956). This is a case in which government officials monitored unlicensed radio transmission and discovered another crime. This 1955 interception of a radio transmission was, and probably still is, admissible evidence.

The current fifth circuit opinion on rehearing rests squarely on the *Sugden* case.

To this petitioner replies: The difference between a radio broadcast and a telephone conversation demonstrates the thought and reasoning behind the quotation from Katz. A broadcast turns loose in the atmosphere a communication. It is there for anyone to witness, and certainly government investigators are at liberty to witness and report what they heard. A telephone conversation, on the other hand, is almost behind closed doors. It is momentarily within a wire circuit that ordinarily no one would expect would be broken — that is, intercepted. But this is the case here. And the interceptor is not the government, but the private telephone company, who may, if not stopped by law, intercept any private telephone conversation on the assumption

that they are looking for the one caller who did not pay the tariff. Even more significant is the judicial function assigned to the private telephone company. If they determined that the call is illegal, then they intercept and divulge freely any and all evidence that their snooping has uncovered.

The misinterpretation of Katz is even more flagrant when it is noted that Katz is a "bugging" case and not a wiretap matter, and that it guarantees the right of privacy to individuals and not to places. Katz and Berger add the broadest fourth amendment constitutional dimensions to the right of the individual to his privacy. *Berger v. New York*, U.S., 18 L.ed.2d 1040, 87 S.Ct. Petitioner believes this right of privacy belongs to all men, the guilty and the not guilty, and to the payers and non-payers of telephone bills. The counterfeiter behind closed doors has the right of privacy, as does the non-payer of telephone bills, neither can be denied this privacy except by authority of a lawful search warrant.

The Berger case eliminated all interception and divulgence of telephone communications, except those that could be done under fourth amendment sanctions. Long ago, in *Nardone* we found that "no one" meant no one may intercept and divulge a telephone communication. *Nardone v. United States*, 302 U.S. 379, 308 U.S. 338. This is still the law, even after Berger, with the sole exception of the governmental power to issue search warrants under the strict limitations of the fourth amendment.

Petitioner believes that the Constitution, Berger and Katz cannot be ignored and no court should have any difficulty finding that the rights our Constitution guaranteed includes the right to deny the telephone company the authority to overhear any conversation on the pretext that they are looking for non-payers.

It is not difficult under our Constitution to find that the private telephone company has no right to determine which calls are illegal, and therefore, which calls they will overhear and report in ultra vires law enforcement. "Profit" is the motivation of our economy, and admittedly, it is the sine qua non of our private enterprise system, yet, petitioner believes that even before the Berger-Katz era under 47 U.S.C. 605 the individual's rights were considered paramount. The famous "unwhipped" quotation from Nardone was reworked by Judge Rives in the first Hanna opinion in the fifth circuit. He said:

"Adding to the language of the Supreme Court the italicized expressions enclosed in parentheses, we would say the 'Congress may have thought it less important that some offenders should go unwhipped of justice (*and that the telephone company lose some long distance tolls*) than that officers (*or telephone company employees*) should resort to methods deemed inconsistent with ethical standards and destructive of personal liberty.'" 302 U.S. at P. 383. Nardone v. United States, 302 U.S. 379, Second Appeal, 308 U.S. 338.

Constitutionally, in the post Berger and Katz era, this will not be tolerated, and if no other factors were involved, the conviction of Hanna would be a travesty. There are, of course, other considerations. Hanna was stealing long distance service, and under our concept of private enterprise, the telephone company has the right to receive pay and profit for its services.

Hanna, a thief if you will, is protected by the fourth amendment of the constitution of the United States to the same degree as is the chairman of the Board of American Telephone Telegraph Company. To intrude on the privacy of either requires legal process, no less than a search warrant within Constitutional dimensions. But the chairman of the board, or some underling, in effect says: Do you mean to tell me that I cannot look for a thief of the product I sell. Petitioner implores this court to hold that the telephone company must look for their thieves just as any other individual must. They may observe, and they may listen to whatever is in the public domain, but they may not break into a private home, or into a private conversation without lawful authority. Somehow, it seems more constitutionally permissive to force a search, or tap a phone conversation, to look for something stolen from you. But, this is nowhere to be found in our Constitution.

Some real doubt exists as to whether precious space should be devoted to the concern for the loss of long distance revenue for the telephone company. But for the sake of continuity, here is the answer to the ubiquitous question: How do you expect the telephone

company to operate if they cannot check their own lines to see if they are being used by non-paying subscribers. The answer is all over this record: The telephone company had ample evidence that Hanna was stealing long distance service before they even installed a listening device. R. 30-86. This was accomplished electronically by a device known as a peg counter meter. R. 42. The device noted, but did not listen to long distance calls for which the company was not paid. Then and only then, was the tape recorder attached, which for 27 days recorded over 500 telephone calls or segments thereof. R. 43, 44. The intercepted telephone conversations did not produce evidence of non-paid use of the service, but did produce evidence of the Hanna gambling activity.

The point is, the telephone company did not have to listen to the private conversation of Hanna to protect its business interests, and no one deputized American Telephone Telegraph Company or underlings to ferret out the gamblers.

The non-deputy quality of the telephone company is raised not altogether in jest, for it is here emphasized that the communications cartel could not be deputized, they could not do law enforcement and they could not execute a search warrant. It may be summarized thus: The spoken word is evidence when it is spoken over the telephone, it is evidence which is accessible only to law enforcement officers by means of a search warrant. The telephone company, did not, and could not have had a search warrant to monitor the 500 plus Hanna calls.

If a solution for the communication company is still of concern; then, well within the framework of the Communications Act, the peg counter meter data could be recorded, interpreted and used as a probable cause for the issuance of a search warrant that would permit some search of the lines carrying the voice of Hanna. But certainly no court would ever authorize a total or general search to be conducted over a 27 day period. Hanna's private conversations were monitored for 27 days for no reason that was not satisfied by the peg counter meter report. If the peg meter reported a suspected theft, then the telephone company had a right and a duty to report this to lawful authority, who could, since Berger and Katz, investigate further, if they deemed necessary, by lawful search procedures, none of which could include a 27 day surveillance of the Hanna telephone conversations.

Petitioner here concedes the validity of the law that states in the execution of a valid search warrant, the searchers need not overlook contraband, or evidence of other crimes, not contemplated in the basic search. But here, we have a search without a warrant attempted by a private company over a period of time that far exceeds any constitutional limits.

The rationale of Bubis includes at least a reference to the fact that the search of the lines for the conversations of Bubis extended over such a period of time that a search warrant could not validate the search, as an order for an extended surveillance of Bubis telephone conversations would constitute a general search warrant proscribed by our Constitution.

THE FOURTH AMENDMENT AND 47 U.S.C. 605.

This petition complains of the fifth circuit opinion holding that the telephone company monitoring of its own lines in search of non-payers thereof was not only legal, but that the results of this monitoring were admissible evidence. This decision was reached despite the 47 U.S.C. 605 mandate that "no person" shall intercept and divulge "any communication". This is the very section which Nardone said says what it means, and means what it says — even to the extent of saying "no person" means no persons — not even federal agents. Nardone would not make an exception for federal agents, but the fifth circuit would make an exception for telephone officials who had not been paid for the use of their facilities.

This is what we ask this court to review. All of the individual rights so zealously protected by our constitution were amply protected by 47 U.S.C. 605 under the rulings that followed Nardone. Petitioner believes the Nardone interpretation of "no person" includes the telephone company and that even this financial giant cannot "... resort to methods deemed inconsistent with ethical standards and destructive of personal liberty." 302 U.S. at p. 383.

47 U.S.C. 605 with the 1937 Nardone interpretation is thoroughly modern and consistent with present constitutional concepts as to the rights of the individual. The fifth circuit could have accepted the ridiculous Attorney General position — that a dime in the telephone slot guarantees the individual the right of

privacy — and still have reached a proper conclusion. that “no person”, not even the unpaid telephone company, may intercept and divulge “any communication.” But, they did not.

The Constitution of the United States cannot be ignored. The fourth amendment says that no one shall be subjected to unlawful searches and seizures. Berger overruled Olmsted and held that telephone communications were to be given the protection of the fourth amendment. Katz referred to electronic eavesdropping. Berger referred to wire tapping. This was a wire tap. Hanna's telephone conversations were intercepted and divulged. How, under our system of law, can anyone wiretap — invade the individual's right to privacy — in any way other than by the strictest compliance with the fourth amendment. The telephone company ignored the constitution of the United States and invaded the individual rights of the individual Hanna. No semblance of a warrant and no semblance of constitutional conduct is even suggested. Why — the telephone company and the fifth circuit answer why — Hanna was a thief. He dared to attempt to make a free long distance telephone call. The price of any long distance call can be classified petty larceny. Petitioner is proud to live under a system of laws that will not deny the constitutional rights of an individual, even to a traitor, and we have faith that this court will not allow the fifth circuit to deny the same rights to a petty thief.

Wherefore, the premises considered, petitioner prays that a writ of certiorari issue herein, directed to

the Fifth Circuit Court of Appeals and that, after due proceedings had, that a writ issue to said court, setting aside the judgment or order of said court and the judgment of the district court. Petitioner further prays that a stay order issue herein pending the disposition of this application.

GUY JOHNSON
 Pere Marquette Building
 New Orleans, Louisiana 70112

PROOF OF SERVICE

I, GUY JOHNSON, attorney for petitioner and a member of the Bar of the Supreme Court of the United States, hereby certify that on this day I served copies of the foregoing petition for Writ of Certiorari upon the Solicitor General, Department of Justice, Washington 25, D.C. and Mr. William A. Meadows, Jr., United States Attorney, Post Office Building, 300 N.E. 1st Ave., Miami, Florida 33101.

New Orleans, Louisiana, January 24, 1969.

APPENDIX A

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 24,343

KENNETH HERBERT HANNA and
NATHAN MODELL,

Appellants,

versus

UNITED STATES OF AMERICA,

Appellee.

*Appeals from the United States District Court for the
Southern District of Florida.*

(March 5, 1968.)

Before RIVES and GODBOLD, Circuit Judges, and
HUGHES, District Judge.

RIVES, Circuit Judge: This appeal is from judgments of conviction on counts one, four and five of a five-count indictment. Count one was directed against the defendant Hanna, and charged him with violating 18 U.S.C. § 1343 (wire fraud). Counts four and five were directed against both defendants, Hanna and

Modell, and charged them with violating 18 U.S.C. § 1084 (wagering by wire) and § 1952 (using the telephone in interstate commerce to promote an unlawful activity). The defendants were convicted as charged in the three counts, and each was sentenced to six months' imprisonment followed by five years' probation. Hanna was also fined ten thousand dollars. The sentences were to run concurrently.

There was no dispute about the facts, and we adopt (with the exception noted in footnotes 1, 2 & 3, p. 5 *infra*) the statement contained in the Government's brief:

"In the twenty-seven day period from November 24, 1965, to December 21, 1965 over 500 telephone calls were placed from defendant Hanna's phone to a distant information operator (e.g. 1-area code-555-1212) (R. 35). This was discovered during an investigation of Hanna's phone conducted solely by the American Telegraph and Telephone (sic) Company and its subsidiary, Southern Bell Telegraph and Telephone (sic) Company. Hanna's phone had become the focus of an investigation by the telephone company after an official of the company in New York detected an unusual condition on Miami phone number 945-9723. He notified Gerard Doyle, Security Manager of Southern Bell Telegraph and Telephone (sic) Company, of this unusual condition and that the condition indicated that

in all likelihood a device known as a 'blue box' was being used on the line. (R. 34, 295).

"A 'blue box' is technically known as a multi-frequency signal generator. It enables a caller to by-pass the toll equipment of the telephone company and complete long distance calls without any record of the call being made. Thus, the caller avoids being billed for all calls placed while using a 'blue box'. (R. 35, 295).

"To operate a 'blue box' a person dials any number through his regular telephone which would provide access to the toll network (e.g. 1 area code-555-1212). Once this connection is established he is able to disconnect the number he has called by inducing on the line a 2600 cycle tone from his 'blue box'. Then by pushing buttons on his 'blue box' he is able to send sounds into the toll network corresponding to the sounds assigned to the digits in the called number and reach any number he desires without any reflection on his bill other than the original free call (R. 35, 36, 69).

Doyle investigates toll frauds for the telephone company. Doyle knew from experience that bookmakers use these devices. (R. 40-42, 295). So when he discovered that 945-9723 was subscribed to by Kenneth Hanna, whom Doyle knew to be a local bookmaker (R. 40, 295),

he instructed company engineer, Ray Fowler, to determine if the unusual condition was a 'blue box'. On November 24, 1965 Fowler attached a piece of electronic equipment to Hanna's line capable of sensing a 2600 cycle tone originating at the subscriber's telephone. (R.42).² It was attached to Hanna's line be-

"² Normally the 2600 cycle tone originates from a toll office within the long distance network and is not found on a subscriber's line. (R. 42). If a 2600 cycle tone does appear on the subscriber's line fairly often, it is a highly unusual situation suggesting that a 'blue box' is being used. (R. 44, 81). This is because a 'blue box' emits a 2600 cycle tone and although a 2600 cycle tone is within the upper reaches of the audible range (e.g. a high pitched scream) the frequent appearance of such a tone on the subscriber's line is very unlikely. (R. 64, 83).

fore the line reached the toll network. (R. 66). Each time the detection unit sensed a 2600 cycle tone it activated a 'peg counter meter' which is simply a counting device for totalling the number of times a 2600 cycle tone is perceived by the detection unit. (R. 42, 80, 41).

"That night Fowler called Doyle and indicated that the counter was registering. (R. 43). Doyle then advised him to put a tape

recorder on Hanna's line to record the sounds made by the 'blue box'. (R. 43, 80, 82). The tape recorder was unattended and was set to cut off automatically 35-45 seconds after being activated by the 2600 cycle tone on the subscriber's line. (R. 43, 44).³ Fowler was

³ The placing of a recorder on the line was necessary to determine whether the telephone company was being defrauded. This is because although the appearance of a 2600 cycle tone on subscriber's line is unusual it is nonetheless possible that a high pitched scream could approximate 2600 cycles. (R. 64). Only by having a tape recorder on the line could the company determine the source of any 2600 cycle tone appearing on Hanna's line. (R. 81-83). Because the company's only interest was in toll fraud it was concerned with establishing two items; first, that the 2600 cycle tone on Hanna's line originated from his line by a 'blue box' and, second, a connection was completed. (R. 43, 44). Thus the tape recorder operated only for 35-45 seconds on each call. Naturally, the tape was made to preserve the evidence of fraud.¹

¹We have some reservations as to the facts and conclusions set forth in the Government's footnote 3, which we discuss in footnote 15. The accuracy or inaccuracy of those facts and conclusions would not, in our opinion, affect the decision of this case.

certain that a 'blue box' was being used and notified Doyle. (R. 45, 46, 83, 84). The detection unit, counter and unattended recorder remained on Hanna's line sporadically for twenty-three of the next twenty-six days until on December 21, 1965, Doyle received a subpoena directing him to produce all the recordings before a Federal Grand Jury in Philadelphia, Pa. (R. 46-49, 296). He appeared the following day and turned the tapes over to the Grand Jury. (R. 57). This is the first time anyone in the Federal Government had knowledge that Hanna's line was being monitored. (R. 50).² Attorneys for the United States Department of Justice handling the Philadelphia Grand Jury turned the tapes over to the Federal Bureau of Investigation. The tapes were in turn given to Special Agent William

²The truth vel non of this sentence would not affect our decision.

However, for the sake of accuracy, we note that we do not agree with this statement. It is based on the testimony of one telephone company employee to the effect that that was his first contact with any Government agency. Asked if he knew how the Government got the information that he had these tapes in his possession, he testified, "No, sir, I do not. But I will say this: during the course of this case my superiors were constantly being informed of the progress of the case on a weekly basis. But I had no contact with any federal agent or agency." The only reasonable inference to be drawn is that prior to the issuance of the subpoena duces tecum, the existence and some inkling of the contents of the communications were disclosed to the Government by some telephone company employee. The Government virtually admits as much in its supplemental brief, p. 7: " * * * if such disclosure is not permitted it is inconceivable to perceive how the Grand Jury or other lawful authority would learn of the existence of the records which the statute allows them to demand."

Heist in Miami who contacted Doyle on December 30, 1965. (R. 61). This is the first time Doyle was ever contacted by an agent of the Federal Government relating to this matter (R. 50, 51, 61, 94) and he never did tell anyone outside the Grand Jury what was on the tapes. (R. 57)."³

"Based on the conversations contained in the tapes, Heist and Special Agent Maurice Roussell obtained a search warrant for Hanna's home and an arrest warrant for his person. (R. 91). Heist also determined that defendant Modell was one of the people called by Hanna in New York City. (R. 87, 92, 160). Because the conversations between Hanna and Modell revealed they were engaged in the use of interstate facilities in aid of bookmaking, as they later admitted by stipulation, arrest and search warrants were also issued against defendant Modell and his apartment. On January 8, 1966, agents of the Federal Bureau of Investigation executed the warrants and bookmaking paraphernalia was seized at both places. The 'blue box' was seized at Hanna's residence. (R. 100)."

We adopt also the further statement contained in the brief for appellants:

"* * * * The tape recordings and gambling

³We accept these statements subject to the qualification in our footnote 1, *supra*.

paraphernalia constituted all the evidence against the defendants in the instant case (R. 294).

"The defendants filed a pre-trial motion to suppress the tape recordings, bookmaking paraphernalia and the 'blue box' on the ground that they were obtained in violation of 47 U.S.C. § 605, and the Fourth Amendment to the United States Constitution (R. 178-179). The lower court denied the motion and filed a written opinion which is now recorded at 260 Fed.Supp. 430 (S.D. Fla. 1966) (R. 292-293, 294, 306). The lower court adjudged the defendants guilty based on the evidence sought to be suppressed in this case (R. 314-315).

"The defendant Hanna moved to dismiss the first count of the indictment on the ground that it failed to state an offense under 18 U.S.C. § 1343 (R. 227-228). The lower court denied the motion (R. 293)."

In accordance with Fifth Circuit Rule 24—2(b), the appellants filed the following:

"SPECIFICATION OF ERRORS RELIED UPON

"I

"THE LOWER COURT ERRED IN DENYING THE DEFENDANTS' MOTION TO SUPPRESS (a) THE TAPE RECORDING OF

THE DEFENDANTS' MONITORED TELEPHONE CONVERSATIONS AND (b) GAMBLING PARAPHERNALIA FOUND IN CONSEQUENCE THEREOF, ON THE GROUND THAT THE EVIDENCE WAS SECURED IN VIOLATION OF 47 U.S.C. § 605.

"II

"THE LOWER COURT ERRED IN DENYING THE DEFENDANT HANNA'S MOTION TO DISMISS COUNT ONE OF THE INDICTMENT ON THE GROUND THAT SAID COUNT OF THE INDICTMENT FAILED TO STATE A CRIME UNDER 18 U.S.C. § 1343."

The second specification may be disposed of summarily. If the first specification is sustained, both judgments of conviction must be reversed entirely. If the first specification is not sustained, the judgments must be affirmed. Since the sentences were to run concurrently, it is not necessary to consider questions raised with respect to any one count.⁴

Thus our consideration is limited to the question of whether the defendants' motion to suppress the tape recordings, bookmaking paraphernalia and the "blue box" should have been sustained because they were obtained in violation of 47 U.S.C. § 605.⁵ That ques-

⁴Hirabayashi v. United States, 1943, 320 U.S. 81, 85; Mishan v. United States, 5 Cir. 1965, 345 F.2d 790, 791.

⁵"§ 605. *Unauthorized publication or use of communications*

"No person receiving or assisting in receiving, or transmit-

tion may be further limited to: "Was the evidence obtained as a result of violating 47 U.S.C. § 605?"⁶

ting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress."

⁶See *Nardone v. United States*, 1937, 302 U.S. 379; on second appeal, 1939, 308 U.S. 338; *Weiss v. United States*, 1939, 308 U.S. 321; *Goldman v. United States*, 1942, 316 U.S. 129; *Benanti v. United States*, 1957, 355 U.S. 96; *Rathbun v. United States*, 1957, 355 U.S. 107.

Four other district courts have held that similar evidence was not obtained in violation of the statute.⁷ Of two very recent cases at the appellate level, one has agreed with the district courts while the other has held the evidence inadmissible.⁸ We agree with most, but not all, of the opinion of the Ninth Circuit in *Bubis*, *supra* note 8, and we think that its decision that the evidence was inadmissible is in accord with the opinions of the Supreme Court cited in footnote 6, *supra*.

The *Bubis* opinion follows the dichotomy of section 605 employed in the first *Nardone* opinion:

"Section 605 of the Federal Communications Act provides that no person who, as an employe, has to do with the sending or receiving of any interstate communication by wire shall divulge or publish it or its substance to anyone other than the addressee or his authorized representative or to authorized fellow employes, save in response to a subpoena issued by a court of competent jurisdiction or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or

⁷See *Beckley v. United States*, N.D. Ga. 1966, 259 F.Supp. 567; *United States v. Benjamin Lassoff*, No. 28247, E.D. La., 1962; *United States v. Henry Loman, et al.*, No. 36270, S.D. Cal., July 1966; *United States v. Thomas McCay, et al.*, No. 66-76-CR, W.D. Okla., June 1966. Only *Beckley*, *supra*, and the instant case are reported.

⁸*Brandon v. United States*, 10 Cir. 1967, 382 F.2d 607; *Bubis v. United States*, 9 Cir. 1967, 384 F.2d 643.

publish the existence, contents, substance, purport, effect or meaning of such intercepted communication to any person; . . . Section 501 penalizes wilful and knowing violation by fine and imprisonment.

"Taken at face value the phrase 'no person' comprehends federal agents, and the ban on communication to 'any person' bars testimony to the content of an intercepted message. Such an application of the section is supported by comparison of the clause concerning *intercepted messages* with that relating to *those known to employes* of the carrier. The former may not be divulged to any person, the latter may be divulged in answer to a lawful subpoena." (Emphasis added.) 302 U.S. at 380, 381.⁹

To include telephone security personnel charged with the detection of fraud on the carrier within the class of employees receiving or transmitting communications would require too strained a construction. In a broad sense all telephone employees assist in receiving or transmitting communications, for

⁹Also in *Weiss v. United States*, *supra* note 6, the Court employed a like dichotomy:

"The section consists of four clauses separated by semicolons. The pertinent one is the second: 'and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person;.'" 308 U.S. at 327.

that is the end result of the telephone company's business. But, as the first *Nardone* appeal indicates (see 302 U.S. 381), this first clause of section 605 has reference to those employees to whom the communications necessarily become *known*. In fact, here the communications were sent and received by means of direct dialing without the use of a telephone central or other employee. There were no employees or persons whose transmitting and receiving duties permitted them to learn the contents of the telephone conversations. The first clause of section 605 therefore has no application to the facts of this case.¹⁰

Parts of the telephone conversation were "intercepted" and their admissibility must be determined by reference to the second clause of section 605. The second clause is the most positive and explicit language: "no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person." That clause simply means what it says and says what it means. The first *Nardone* case, *supra* note 6, refers to it as a "plain mandate" (302 U.S. at 383), and holds that "no person" embraces federal agents engaged in the detection of crime. A fortiori that expression embraces the security personnel of a telephone company.

¹⁰If we held otherwise, we would then reach the question pre-
 termitted by the Supreme Court in *Benanti*, *supra* note 6, 355
 U.S. at 100, n. 5, and in *Rathbun*, *supra* note 6, 355-U.S. at 108,
 n. 3, as to whether both an interception and a divulgence are
 necessary for a violation of section 605.

That is made more certain when we turn from the literal language of section 605 to its purpose and intent as stated in the first *Nardone* appeal:

"It is urged that a construction be given the section which would exclude federal agents since it is improbable Congress intended to hamper and impede the activities of the government in the detection and punishment of crime. The answer is that the question is one of policy. Congress may have thought it less important that some offenders should go unwhipped of justice than that officers should resort to methods deemed inconsistent with ethical standards and destructive of personal liberty. The same considerations may well have moved the Congress to adopt § 605 as evoked the guaranty against practices and procedures violative of privacy, embodied in the Fourth and Fifth Amendments of the Constitution." 302 U.S. at 383.

Again, the second *Nardone* case referred to the first, as follows:

"That decision was not the product of a merely meticulous reading of technical language. It was the translation into practicality of broad considerations of morality and public well-being. This Court found that the logically relevant proof which Congress had outlawed, it outlawed because 'inconsistent with

ethical standards and destructive of personal liberty.' 302 U.S. 379, 383." 308 U.S. at 340.

Adding to the language of the Supreme Court the italicized expressions enclosed in parentheses, we would say the "Congress may have thought it less important that some offenders should go unwhipped of justice (*and that the telephone company lose some long distance tolls*) then that officers (*or telephone company employees*) should resort to methods deemed inconsistent with ethical standards and destructive of personal liberty."

There is some suggestion that, by his illegal use of the telephone company facilities, Hanna impliedly "authorized" the interception of any communication. That position is untenable. It would justify the violation of the secrecy of communication by the results obtained from the violation. By analogy to the search and seizure cases under the Fourth Amendment that is, of course, impermissible.¹¹ If sound, that suggestion need be but slightly modified to render admissible in evidence all intercepted telephonic communications having to do with the planning or effectuation of crime. In discussing the phrase "authorized by the sender," the Supreme Court has said: "The Act contemplates voluntary consent and not enforced agreement to publication." *Weiss v. United States*, *supra* note 6, 308 U.S. at 330.

¹¹See *Byars v. United States*, 1927, 273 U.S. 28, 29.

The Government's main thesis is thus expressed in brief:

"The crux of this appeal is whether trespassers on the facilities of a communications common carrier and thieves of its services are entitled to the privacy afforded by Title 47, U.S.C. § 605. Common sense dictates that Congress did not intend to protect trespassers and thieves."

That seems to be the basis of the Tenth Circuit's decision in *Brandon*, *supra* note 8, when that Court says:

"That provision was adopted by Congress for the protection of authorized users of telephonic or radio facilities; it was not intended as a refuge for the wrongdoer who uses the telephone in a scheme to violate the wire fraud statute." 382 F.2d at 611.

We do not agree.

As the Supreme Court pointed out in both *Nardone* appeals, Congress intended to protect "against practices and procedures violative of privacy," and against "methods deemed inconsistent with ethical standards and destructive of personal liberty." (302 U.S. at 383.) If the protection of the law abiding requires the protection of all telephonic users including "trespassers and thieves" and other criminals, the answer is that

it is for Congress to declare which is the more important policy.

The Government's attempted analogy between persons attempting to defraud the carrier of its long distance tolls and trespassers on land is patently unsound. The argument need be but slightly changed to treat as "trespassers" all persons using or misusing the telephone to plan or effectuate crime. If not, the argument would result in attaching more importance to a minor fraud than to the most heinous felony. Such a construction would render the statute no longer "a plain mandate."¹² The argument would permit telephone company personnel to conduct pervasive wire tapping invasive of the privacy of the lawless and law-abiding alike, and then to make use of the fruits of their conduct in those cases in which the results showed that one of the parties to the telephone conversation was attempting to commit a fraud on the telephone company.¹³ Incidentally, the Government's position takes no account of the user at the other end of the line who may be innocent of that particular type of criminality. In the present case, there is no evidence that Modell knew that Hanna was using a blue box.¹⁴

¹²"Moreover, as the second *Nardone* decision asserts, distinctions designed to defeat the plain meaning of the statute will not be countenanced. 308 U.S. 338, 340." *Benanti v. United States*, 1957, 355 U.S. 96, 100.

¹³See footnote 11, *supra*.

¹⁴It is significant that in *Katz v. United States*, U.S. No. 35, Oct. Term, 1967, decided December 18, 1967 (after this opinion had been drafted and circulated among the Judges), the Government was permitted to introduce evidence of *Katz's end* of the

Basically, the Government's argument in this case is but a watered down version of its argument in *Nardone* and the subsequent cases cited in footnote 6, *supra*. The Supreme Court has consistently rejected the Government's position, and we can do no less.¹⁵

As indicated in footnote 14, *supra*, this opinion had been drafted and circulated among the Judges before the Supreme Court's decision on December 18, 1967 of *Katz v. United States*. That decision goes much further than to reinforce our view that the tape recordings were inadmissible against Modell. It makes clear that they were entirely inadmissible. There the

telephone conversations. There was apparently no effort to introduce evidence of the other end, which would correspond here to Modell's end of the conversations.

¹⁵We have not discussed, but neither have we failed to consider, the plight of the telephone company. We recognize that, as a public utility, it had not only the right but the duty to require payment of the long distance tolls prescribed in its tariffs. If this decision renders the performance of that duty more difficult, our answer is that the policy is for Congress to declare. However, we are not convinced that the telephone company will be seriously impeded. As previously indicated (*ante*, note 1), we do not accept at face value all that the Government says in footnote 3 to its brief. It seems to us that the use of the blue box detection unit with the peg counter meter, *but without the tape recorder*, would have given the telephone company adequate protection. With information thus lawfully obtained, a routine inspection might have resulted in the discovery and removal of the blue box. The telephone company might also have reported to appropriate governmental authority the probable commission of a crime, following which the Government might have obtained a search warrant for the electronic search, as now authorized by the recent *Katz* decision referred to in footnote 14, or even for the blue box itself. A search warrant is of course not available to the telephone company. See 47 Am.Jur., Searches and Seizures, § 4, p. 504, §56, pp. 536, 537; 79 C.J.S., Searches and Seizures, §63, p. 825.

Supreme Court definitely overruled *Olmstead v. United States*, 1928, 277 U.S. 438, which was the occasion for the enactment of the statute now carried forward as 47 U.S.C.A. § 605.¹⁶

Olmstead being overruled, section 605 may not now appear necessary. Certainly the statute cannot authorize a violation of the Fourth Amendment as now declared in *Katz, supra*. Section 605 cannot authorize the telephone company employees to obtain evidence through surveillance which becomes under *Katz* standards an unconstitutional search; nor can the Government by subpoena duces tecum make use of such evidence. *Katz* points out the constitutional procedure as the time-honored method of obtaining a search warrant.¹⁷ Moreover, the fact that a search warrant is not available to the telephone company¹⁸ adds emphasis to the illegality, indeed unconstitutionality, of its surveillance which amounted to a search without a warrant.

The district court erred in denying the Government's motion to suppress the tape recordings of the defendants' monitored telephone conversations and the gambling paraphernalia found in consequence of those tape recordings. The judgment is therefore reversed with directions to render judgment discharging the defendants.

REVERSED WITH DIRECTIONS.

¹⁶See *Nardone v. United States, supra*, note 6, 302 U.S. at 382, 383; *Rathbun v. United States, supra*, note 6, 355 U.S. at 111, 112 (concurring opinion of Justice Frankfurter).

¹⁷See particularly footnote 16 to *Katz v. United States, supra*.

¹⁸See authorities cited at end of footnote 15, *supra*.

GODBOLD, Circuit Judge, specially concurring:

I concur in the result.

As Judge Rives notes (footnote 2 of his opinion) the only reasonable inference is that prior to the issuance of the subpoena duces tecum the existence and some inkling of the contents of the communications were disclosed to the government by telephone company employees. Under no construction of § 605 is this proper.

The wiretap was installed on Hanna's telephone on November 24, 1965. It remained there to December 21, although the telephone company knew within a day or two of installation that Hanna was using a device to bypass the telephone company's long distance toll equipment. Whatever right the telephone company may have to determine the existence of communications' or the content of communications is limited by standards of reasonableness which were exceeded in this case. *Bubis v. U. S.*, 384 F.2d 643 (9th Cir. 1967).

For these reasons, and these alone, I agree that these cases must be reversed.

¹Judge Rives' opinion focuses on the content of a communication. Sec. 605 refers also to divulging the existence of a communication, which may be done by mechanical devices that do not record the content. But I assume that such devices would be installed by and read by persons who are not in the status of the old-fashioned "central."

HUGHES, District Judge, dissenting.

I respectfully dissent from the majority and would affirm the judgment of the trial court.

I agree with the majority that "our consideration is limited to the question of whether the defendants' motion to suppress the tape recording, book-making paraphernalia and the 'blue box' should have been sustained because they were in violation of 47 U.S.C. sec. 605." In my opinion the evidence was not obtained as a result of violating 47 U.S.C. sec. 605 and the trial court was correct in overruling defendants' motion to suppress.

By enacting the first clause of section 605, Congress recognized the special position of the carrier's employees. This clause does not proscribe the interception of communications by a ". . . person . . . assisting in receiving . . . or assisting in transmitting" Apparently, the majority interprets this phrase to include only employees who in actually placing the call obtain knowledge of the communication. In my view such a restrictive construction is contrary to the intent of Congress.

Section 605 was enacted in 1934, long before it was technically possible for toll-charge telephone calls to be completed without the assistance of some human agency. At that time an operator's "interception" was necessary in order properly to assess toll charges for long distance calls. In recent years the company has developed a means of placing and assessing charges

without the aid of an operator. The new system, while affording a greater measure of privacy to the user than the old system, provides less security to the telephone company, since by using a 'blue box' a caller may electronically circumvent the new billing system.

In an effort to combat this practice and thus be assured of compensation for the use of its lines, the telephone company has had to take certain security measures. Since the 'blue box' emits a 2600 cycle tone when in use, the company has developed a means of electronically sensing its emission. The frequent appearance of such a tone on a particular line is a strong indication that a 'blue box' is being used. Before any degree of certainty can be achieved, however, it is necessary to have more substantial evidence. This is obtained by the company's security personnel attaching a tape recorder to the suspected line to verify that a 'blue box' is in fact being used.

I would interpret the first clause of section 605 to include security officers as well as other employees of the carrier who are engaged in keeping the business of telecommunications functioning properly. The operator is only one of many employees who in the proper exercise of their duties necessarily must "intercept" transmissions. In view of recent inventions, it is irrational to differentiate the legal effect of the operator's function from that of the security personnel. To some extent the security officer has taken over the function of the operator in making certain that toll charges are properly assessed. Consequently, the statute should apply to him in the same way as it

formerly did to the operator. Otherwise, the carrier, by using an electronic complex for the purpose of assessing charges, has lost the right of interception which formerly he had.

Since it is my opinion that a security officer, in the light of present day developments, should be included among company employees engaged in the transmission of communications, information obtained by him in the regular course of his duties with the telephone company can be divulged, if done in accordance with the conditions set forth in the first clause of the statute, *viz.* “. . . in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority” The testimony in this case reveals that the manner of divulgence was in accordance with this provision of the statute, as is set forth in the statement of the facts in the majority opinion. Thus the first clause of section 605 does not prohibit the introduction into evidence of the tape recording.

The second clause of section 605 covers persons other than employees “. . . assisting in transmitting” It provides that “. . . no person not being authorized by the sender shall intercept . . . and divulge . . . the contents . . . of such intercepted communication.” In my opinion the transmissions here under scrutiny are not entitled to the protection of this clause of the statute.

The telephone calls between Hanna and Modell were intrinsically illegal transmissions. It is not their con-

tent which made them so, but the fact that Hanna and Modell were fraudulently using the lines without paying for their use. The majority assumes that Congress intended to protect against the monitoring and divulgence of fraudulent transmissions as well as legal ones, but I am unable to make that assumption.

No worthwhile purpose is served by protecting the secrecy of such transmissions, and to do so would seriously inhibit their detection. It is difficult to believe that Congress intended that outlaw transmission should have protection. "It is," as stated in *Brandon v. U. S.*, case No. 9395, August 29, 1967, 10th Circuit, "contrary to common sense."

The leading case which sustains the view that, if the use of a communication facility is illegal, the right of privacy does not exist and the matter may be divulged, is *Sugden v. U. S.*, 226 F.2d 281 (9th Cir. 1955) affirmed per curiam, 351 U.S. 916, 76 S.Ct. 709.

Sugden involved the interception and monitoring of radio transmissions by federal agents. Information obtained in this manner was used as evidence in prosecuting defendants for violation of the immigration laws. Although defendants were not licensed operators and were not thus legally on the air, they sought to interpose section 605 in a motion to suppress the evidence. The trial court granted the motion and dismissed the indictment, but the Ninth Circuit reversed, holding that because the defendants were not legally using the station the statute had no application. The Court declared:

. . . To throw a mantle of protection provided by Section 605 over an outlaw broadcast is to abandon reason Giving the one who broadcasts without authority any protection under Section 605 could not tend to protect the means of communication.

The case of *Brandon v. U. S.*, *supra*, likewise sustains this view. In that case the defendants were accused of conspiring to defraud the Southwestern Bell Telephone Company in the use of long distance telephone service and facilities. The means of detection were similar to that used in the present case. The Court in holding that section 605 did not prohibit the use of information obtained by monitoring said:

(Section 605 . . . was adopted by Congress for the protection of authorized users of telephone or radio facilities; it was not intended as a refuge for the wrongdoer who uses the telephone in a scheme to violate the wire fraud state.

The majority suggests, assuming *arguendo* that the tapes are admissible against Hanna, that they cannot be introduced against Modell because there is no evidence that he participated in the wire fraud, citing *Katz v. United States*, U.S. No. 35, Oct. Term, 1967, decided December 18, 1967, as controlling. However, I do not believe *Katz* to be analogous. That case censured eavesdropping by *federal agents* as constituting a violation of the defendant's Fourth Amendment rights against unlawful search and seizure. But

the Fourth Amendment is no bar to eavesdropping by persons such as these telephone company employees; it applies only to acts of the government. *Burdeau v. McDowell*, 256 U.S. 465. The evidence demonstrates that the government played no part in the "interception" here complained of. Moreover, since I find no violation of Sec. 605 in obtaining and divulging the statements of Modell, there is no legal impediment to their admissibility against him.

For the reasons stated I would affirm.

APPENDIX B

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 24,343

**KENNETH HERBERT HANNA and
NATHAN MODELL,**

Appellants,

versus

UNITED STATES OF AMERICA,

Appellee.

*Appeals from the United States District Court for the
Southern District of Florida.*

(April 17, 1968.)

ORDER GRANTING REHEARING

Before RIVES and GODBOLD, Circuit Judges, and
HUGHES, District Judge.

PER CURIAM: The panel of this Court, before which this case was heard, on its study of the appellee's petition for rehearing en banc concludes to grant rehearing before said panel, to be submitted on briefs.

It is therefore ORDERED that rehearing before the panel of this Court which heard the case on original hearing is hereby granted, to be submitted on briefs; the appellee's brief to be filed within twenty (20) days from the date of the filing of this order and the appellants' brief to be filed within fifteen (15) days from the date of the receipt of copy of appellee's brief on rehearing. The Court suggests that the briefs to be filed may freely refer to briefs already on file and avoid unnecessary duplication. Briefs need not be printed but at least four (4) legible copies shall be filed with the Clerk.

APPENDIX C

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 24,343

KENNETH HERBERT HANNA and
NATHAN MODELL,
Appellants,

versus

UNITED STATES OF AMERICA,
Appellee.

*Appeals from the United States District Court for the
Southern District of Florida.*

(November 18, 1968)

ON REHEARING

Before RIVES and GODBOLD, Circuit Judges,
and HUGHES, District Judge.

RIVES, Circuit Judge: On original hearing,¹ Judge
Rives wrote what was intended to become the opinion

¹Opinion reported in 393 F.2d 700.

of the Court. Judge Godbold concurred specially, and Judge Hughes dissented. On further consideration, it appears that Judge Rives' original opinion is in error both as to the facts and as to the law.

The factual errors are contained in footnotes 2 and 15. The inference was mistakenly drawn "that prior to the issuance of the subpoena duces tecum, the existence and some inkling of the contents of the communications were disclosed to the Government by some telephone company employee."² It now appears that that inference is unwarranted since it does not follow from the evidence that either the existence or the contents of the communications were unlawfully disclosed. Indeed, the telephone company's explanation of the disclosure in its amicus curiae brief is entirely consistent with the evidence:

"We are prepared to show, if the Court should deem it necessary, that after Southern Bell Telephone and Telegraph Company had gathered evidence of Hanna's fraud by wire, Mr. H. W. William Caming of this Company's Legal Department on December 14, 1965 telephoned Mr. Robert D. Peloquin of the Department of Justice and reported only the following: that evidence of electronic toll fraud had been discovered in the southern Florida area; which we would disclose under proper subpoena.

²That erroneous inference was expressly relied on by Judge Godbold in his concurring opinion. See 393 F.2d at 708.

"Thus, no disclosure whatever, within the meaning of § 605, as made to the Government prior to Mr. Doyle's appearance before the federal grand jury on December 22 in response to its subpoena duces tecum (R. 50). *Not only was there no prior disclosure of the existence or contents of any particular communication, but also neither the suspect's name, occupation, nor telephone numbers were divulged.*" (Emphasis in the original.)

While Hanna and Modell are not bound by that statement, it does establish the incorrectness of the inference, and Hanna and Modell cannot reap any benefit from that mistaken inference. Of course, the burden of showing prejudicial error is upon the party attacking the judgment.³

In footnote 15 to Judge Rives' original opinion, he digressed to explain why he did not think that the telephone company necessarily had to record any parts of the conversations in order to perform its duty to require payment of the long distance tolls prescribed in its tariffs. The telephone company's explanation of its statutory duties and of its procedures in meeting those duties demonstrates the necessity for it to record limited parts of the conversations in order to require payment of the long distance tolls for illegal calls:

"No carrier can discriminate between its customers by extending preferential treatment

³Neubauer v. United States, 8 Cir. 1958, 250 F.2d 838, 839; Hall v. Texas & N.O. Ry. Co., 5 Cir. 1962, 307 F.2d 875, 876.

to any. 47 U.S.C. §§ 202, 203(c). Knowingly to allow those committing electronic toll fraud to receive free service would constitute such discrimination. Furthermore, each carrier is enjoined, under pain of criminal penalty, not to neglect or fail to maintain correct and complete records and accounts of the movements of all traffic over its facilities. 47 U.S.C. § 220. Each carrier is also obliged to collect the federal excise tax levied upon each long distance call. 26 U.S.C. § 4251. . . .

" . . . there is no alternative at this state of the art but to make a limited recording of each illegal call - at least of the fraudulent dialing and opening salutations-to:

(i) identify the calling party (the user of the blue box), and others with whom he may be acting in concert . . . identification of the telephone line from which the fraudulent calls are originating must be followed by the more difficult identification of the specific individual making the calls - this is, of course, of paramount importance;

(ii) establish the location from which the calls are originating;

Most blue boxes, for example, are not cumbersome installations but rather, portable devices (some as

small as a pack of cigarettes) which can be readily attached to telephone wires by alligator clips.

(iii) record the multifrequency tones being 'dialed' (key pulsed) by the blue box; and

(iv) determine whether the fraudulent call was completed (by the called party answering). (R. 63, 68-70, 81-84, 35-38, 42-45.)

"Distance (as well as time) is a factor in determining the proper billing charge for a long distance call. It is, therefore, necessary to ascertain each specific location called after the wrongdoer seizes the circuit."

Since it is not shown that the telephone company did more than was necessary for it to comply with the duties imposed by 47 U.S.C. § 220 and 26 U.S.C. § 4251, it does not appear that it exceeded the standards of reasonableness as Judge Godbold had originally thought.⁴ Again, the burden of showing prejudicial error has not been sustained by the parties attacking the judgment.⁵

As to the law, Judge Rives' original opinion was in error in not recognizing what Judge Hughes expressed so clearly in her dissenting opinion:

⁴See concurring opinion, 393 F.2d 708.

⁵See footnote 3, *supra*.

"The leading case which sustains the view that, if the use of a communication facility is illegal, the right of privacy does not exist and the matter may be divulged, is *Sugden v. U. S.*, 226 F.2d 281 (9th Cir. 1955) affirmed per curiam, 351 U.S. 916, 76 S.Ct. 709."

393 F.2d at 709.

This Court is bound by the decision in *Sugden* because it was affirmed by the Supreme Court in a terse per curiam: "The judgment is affirmed." 351 U.S. 916. The judgment thus affirmed is summarized in the last paragraph of the opinion of the Ninth Circuit as follows: "The orders dismissing the causes and suppressing evidence are reversed for proceedings not inconsistent with this opinion." 226 F.2d at 286. That opinion had explained that the operators were not licensed until September 17th, "Therefore, they were not legally using the station before September 17th." The opinion had expressed the view, "that the trial court should re-examine the motions of defendants on the basis that free use of any radio communications made before September 17th can be made. The district court will need a new hearing before ruling on the suppression of evidence and quashing the indictment." 226 F.2d at 285. Clearly, in affirming the judgment the Supreme Court placed its stamp of approval on that much of the opinion. Indeed, that was the only part of the opinion adverse to the defendants at whose instance certiorari was granted. 350 U.S. 952.

No sound distinction as to the applicability of section 605 can be drawn between wire and radio. The original statute, written in almost identical terms, applied only to radio communications. Act of Feb. 23, 1927, ch. 169, § 27, 44 Stat. 1162, 1172. Those provisions were extended to wire communications by section 605 without any distinction being made between the two methods of communication. It must, therefore, be conceded that when the use of the communication facility itself is illegal, section 605 has no application, at least insofar as concerns the person guilty of such illegal users. Whatever, we might otherwise think, this Court is bound by the *Sugden* decision. Section 605 being inapplicable as to Hanna, the district court properly admitted against him the tape recordings and gambling paraphernalia found as a result of those recordings.

As to Modell, the case may stand differently. In *Sugden*, *supra*, the Ninth Circuit commented that, "It seems none [no license] is required for the operator of the mobile end of the two way radio apparatus." 226 F.2d 282. That operator, however, was not a defendant, and there was thus no holding that any evidence of the conversation would be admissible against him. Here Modell is a defendant, and, concededly, there was no proof that he knew that Hanna was using the telephone illegally.⁶ Since Modell, in the imagery of *Sug-*

⁶In the district court the United States Attorney unequivocally conceded: "As far as Mr. Modell is concerned, we certainly concede that there is absolutely no proof that he was using one of these blue boxes and there is no proof even that he knew a blue box was being used." If Modell had also been a trespasser on the line, the probability is that he would have been using a

den, 226 F.2d 285, was "legally on the air," section 605 applied as to him.

There was, however, no violation of section 605 in obtaining and divulging the statements of Modell if the telephone company employee who learned of the communications and thereafter divulged their existence and contents was, within the meaning of the first clause of section 605, "a person . . . transmitting, or assisting in transmitting," the communication. Further consideration has persuaded Judges Rives and Godbold to agree with Judge Hughes that, under the circumstances of this case, "a security officer, in the light of present day developments, should be included among company employees engaged in the transmission of communications." That is true because the obligations imposed upon the telephone company by the Communications Act and the Internal Revenue Laws, 47 U.S.C. §§ 202, 203, 220; 26 U.S.C. § 451, both authorized and required it to discover the existence and parts of the contents of the illegal calls. Under those laws, such discovery becomes a part and parcel of the transmission of the communications. Section 605 provides that information thus lawfully obtained may be

"black box." The witness Doyle testified as follows:

"THE COURT: What is a black box as distinguished from a blue box?

"THE WITNESS: A black box is also an electronic device. It is placed on the terminating end to the telephone call. The black box, in effect, shows our toll billing network that that telephone call was never answered, when, in fact, it was answered and people talked. That is the basic difference."

There was no proof that a "black box" was placed on Modell's end of the line.

divulged "in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority." It now appears that the existence and parts of the contents of the communications were both lawfully obtained and lawfully divulged, and that there was no violation of section 605. Hence, the district court properly admitted against Modell the tape recordings and gambling paraphernalia found as a result of those recordings.

The judgments of conviction of both Hanna and Modell are therefore

AFFIRMED.

APPENDIX D

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 24,343

KENNETH HERBERT HANNA and
NATHAN MODELL,

Appellants,

versus

UNITED STATES OF AMERICA,

Appellee.

*from the United States District Court for the
Southern District of Florida*

PETITION FOR REHEARING EN BANC

(December 30, 1968)

RIVES and GODBOLD, Circuit Judges, and
HUGHES, District Judge.

CURIAM: The Petition for Rehearing is DE-
ad no member of this panel nor Judge in reg-
ve service on the Court having requested that
t be polled on rehearing en banc, (Rule 35 Fed-
es of Appellate Procedure; Local Fifth Circuit
the Petition for Rehearing En Banc is DE-

165-1990-82

Scofields' Quality Printers, Inc. — New Orleans, La.

F B I

Date: 5/16/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: Director, FBI (165-1990)

FROM: SAC, Miami (165-592)(C)

SUBJECT: KENNETH HERBERT HANNA

Et Al

ITAR - GAMBLING

ITWI - FBW

OO: Miami

Re Washington Field Office letter to Bureau, 5/6/69.

Referenced letter advised that the U. S. Supreme Court issued an order on 5/5/69, in which it denied petition for Writ of Certiorari in the case of KENNETH HERBERT HANNA vs. U. S.

The Miami Division does not yet know the date on which HANNA will commence serving his sentence.

On 5/16/69, it was determined Miami attorney JAMES J. HOGAN filed a motion to mitigate the sentence of HANNA in U. S. District Court, Miami, on 5/15/69, and on 5/16/69, he also filed a motion for a stay of execution. HOGAN stated he had 120 days after the mandate was issued by the Supreme Court of the U. S. in their recent decision concerning HANNA to file the motions. HOGAN stated he was filing the motion to mitigate the sentence "in the interest of justice."

The above for information.

2 - Bureau
2 - Atlanta (165-264) (1 - 162-268)
2 - Miami (1 - 162-341)
EJS:amc
(6)

EX-102
REC-121165-1990-83
5 MAY 19 1969

9A

59 MAY 27 1969

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (165-1990)

DATE: 9/19/69

FROM : SAC, Miami (165-592)(C)

SUBJECT: KENNETH HERBERT HANNA
Et Al
ITAR - GAMBLING
ITWI; FBW

OO: Miami

Re Miami airtel to Bureau, 5/16/69.

Enclosed to the Bureau is 0-1 form dated 9/15/69.

On June 18, 1969, in U. S. District Court, Miami, Florida, U. S. District Judge WILLIAM O. MEHRTENS heard a motion to mitigate the sentence of subject HANNA. Judge MEHRTENS thereafter, on the same day, suspended the six months jail sentence which he previously had sentenced HANNA, when he was originally found guilty and after the Supreme Court denied petition for Writ of Certiorari.

This investigation is being closed in the Miami Division.

2 - Bureau (Enc. 1)
1 - Miami
EJS:amc
(3)

ENCLOSURE
a1 det

REC- 60

EX - 117

165-1990-84

SEP 22 1969

NINE



F176

OCT 3 - 1969

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Marshall
FROM : P. J. O'Connell

DATE: OCT 15 1973

b6
b7C

SUBJECT: KENNETH HERBERT HANNA, AKA
ITAR; ITWI; FBW

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Bulky Exhibit File Number: 165-1990-72

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Section, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

JEB:ncf

☐ Retain ☒ Destroy ☐ Other Disposition _____

Reason for Decision Lat - ok on serial 72/1973

Signature of Reviewing Supervisor



b6
b7C

84 NOV 9 1973

165-1990
NOT RECORDED

180 OCT 31 1973

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Marshall
FROM : P. F. O'Connell

DATE: OCT 15 1973

SUBJECT: KENNETH HERBERT HANNA, AKA
ITAR, ITWI; FBW

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conmy _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Bulky Exhibit File Number: 165-1990-69

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Section, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

JEB:ncf

☐ Retain ☒ Destroy ☐ Other Disposition _____

Reason for Decision

Subject decreased

Signature of Reviewing Supervisor



b6
b7C

165-1990
NOT RECORDED

18C OCT 31 1973

84 NOV 9 1973

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Marshall

FROM : P. F. O'Connell

DATE: OCT 15 1973

SUBJECT: KENNETH HERBERT HANNA, AKA
ITAR, ITWI; FBW

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conmy _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Bulky Exhibit File Number: 165-1990-59

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Section, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

JEB:ncf

☐ Retain☒ Destroy☐ Other Disposition _____

Reason for Decision

Subject deceased

Signature of Reviewing Supervisor



Det 10-31-73
JEB
84 NOV 9 1973

165-1990
NOT RECORDED
18 OCT 31 1973

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Marshall

FROM : P. F. O'Connell

DATE: OCT 15 1973

SUBJECT: KENNETH HERBERT HANNA, AKA
ITAR, ITWI; FBW

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conmy _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Bulky Exhibit File Number: 165-1990-64

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Section, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

JEB:ncf

☐ Retain☒ Destroy☐ Other Disposition _____

Reason for Decision

Subject deceased

Signature of Reviewing Supervisor

b6
b7c

84 NOV 9 1973

165-1990
NOT RECORDED

OCT 31 1973

FEDERAL BUREAU OF INVESTIGATION
FOIPA
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Total Deleted Page(s) ~ 4

Page 51 ~ b6, b7C

Page 52 ~ b6, b7C

Page 57 ~ b6, b7C

Page 58 ~ b6, b7C